SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of regular meeting held Thursday, April 2, 1970.

The City Planning Commission met pursuant to notice on Thursday, April 2, 1970, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: James S. Kearney, President; James J. Finn, Mortimer Fleishhacker, Thomas G. Miller, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President.

The staff of the Department of City Planning was represented by Edward I. Murphy, Assistant Director of Planning; Dean L. Macris, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director - Implementation; Robert Passmore, Assistant Zoning Administrator; R. Bruce Anderson, Planner III - Administrative; James White, Planner III - Urban Design; James Paul, Planner III - Housing Specialist; Daniel Sullivan, Planner III (Zoning); Dennis Ryan, Planner II - Urban Design; Patricia Sheehan, Planner II; Frederic Mock, Planner II; and Lynn E. Pio, Secretary.

Scott Blakey represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner.

CURRENT MATTERS

Dean L. Macris, Assistant Director - Plans and Programs, advised the Commission that an agreement had been reached in connection with certain litigation involving the San Francisco Redevelopment Agency which solicited a policy statement from the City Planning Commission and other governmental bodies for the provision of at least 1500 units of new housing for single persons and families meeting the standards of the Housing Act of 1949, as amended; and he indicated that Mayor Alioto had requested the various agencies cited to adopt policy statements in accordance with the language of the agreement. After the Secretary had read the text of the agreement which had been approved by the Court, Mr. Macris recommended the adoption of a draft resolution which contained the following resolves:

"NOW THEREFORE BE IT RESOLVED, That it is the policy of the City Planning Commission that there should be provided in the City and County of San Francisco at least fifteen hundred (1500) units of new housing for single persons and families meeting the standards of the Housing Act of 1949, as amended; and

BE IT FURTHER RESOLVED, That it is the intent of the City Planning Commission, within the limits of applicable State, local and Federal law, to do all things reasonable and desirable to further the provision

of such housing at the earliest practical time; provided that the United States Department of Housing and Urban Development agrees to support this policy with adequate financial assistance."

Arthur Evans, Assistant Director of the San Francisco Redevelopment Agency, pointed out that the agreement had not specified that the 1500 dwelling units would have to be located in the Yerba Buena Center; and he noted that the housing units could not be completed in sufficient time to be used as a relocation resource for that redevelopment project area.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution Number 6505.

Edward I. Murphy, Assistant Director of Planning, recommended the adoption of a draft resolution which would authorize President Kearney to submit a request to the Board of Supervisors that the City Planning Commission appear in the Voters' Pamphlet as endorsing the Board of Education's bond issue proposal on the June, 1970 ballot. He indicated that the Commission had previously approved the projects proposed in the bond issue during the course of its Capital Improvement Program review. After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Resolution Number 6506.

Mr. Murphy advised the Commission that the Board of Supervisors had postponed consideration of the proposed Market Street Sign Ordinance and the Northern Waterfront Zoning amendments until next Monday, April 6.

Mr. Murphy advised the Commission that the Board of Supervisors, meeting on March 30, had authorized the Department of City Planning to submit applications to the Federal Government for funds for a housing and recreation study of Chinatown and for the Bayview-Hunters Point Model Neighborhood Agency.

Commissioner Ritchie, noting that he and Commissioner Fleishhacker had been appointed to an ad hoc committee to review alternate sites for the Federal Archives Building proposed to be located in Fort Miley, stated that they had concluded that it should not be the responsibility of the City Planning Commission to tell the General Services Administration which specific site should be used for the building. However, the Committee was particularly impressed by the pertinence of this issue to a message which President Nixon had addressed to Congress on February 10, 1970, which read, in part, as follows:

"Plain common sense argues that we give greater priority to acquiring now the lands that will be so greatly needed in a few years. Good sense also argues that the Federal Government itself, as the nation's largest landholder, should address itself more imaginatively to the question of making optimum use of its own holdings in a recreation-hungry era.

"I propose that we adopt a new philosophy for the use of Federally-owned

lands, treating them as a precious resource -- like money itself -- which should be made to serve the highest possible public good.

"The time has come to make more rational use of our enormous wealth of real property, giving a new priority to our newly urgent concern with public recreation--and to make more imaginative use of properties now surplus to finance acquisition of properties now needed.

"By executive Order, I am directing the heads of all Federal agencies and the Administrator of General Services to institute a review of all Federally-owned real properties that should be considered for other uses. The test will be whether a particular property's continued present use or another would better serve the public interest, considering both the agency's needs and the property's location. Special emphasis will be placed on identifying properties that could appropriately be converted to parks and recreation areas, or sold, so that proceeds can be made available to provide additional park and recreation lands."

Referring to an aerial photograph of Fort Miley, Commissioner Ritchie pointed out that the property that the General Services Administration had proposed to use for the Archives Building is located adjacent to a public park; and he indicated that he and Commissioner Fleishhacker felt that the site should be retained as open space and that it should be incorporated into Lincoln Park. Therefore, they suggested that the GSA should propose alternate sites for the Archives Building and that it should submit those sites to the Commission for review.

Commissioner Fleishhacker remarked that the very preliminary review which had been made by the Committee had indicated that other sites presently owned by the Federal or State Government or located within official redevelopment project areas would be available for the Archives Building. Under the circumstances, he believed that the burden of proof should be on the General Services Administration to demonstrate that the Fort Miley site is the only feasible site for the building before proceeding with the project. He recommended that a resolution be adopted by the Commission petitioning the GSA to investigate further available alternate sites for the building which might be more appropriate and advising the Mayor and the Board of Supervisors of the urgency of the situation.

At this point in the proceedings, Commissioner Miller arrived in the meeting room and assumed his seat at the Commission table.

After further discussion, the Commission decided to defer further consideration of the Archives Building until completion of the scheduled zoning hearing so that a draft resolution would be available for their consideration.

Commissioner Ritchie, noting that he had read in the newspaper that revised plans for the Transamerica Building had been submitted to the Department of City Planning for review, requested that the plans be presented to the Commission for discussion after they have been reviewed by the staff. Mr. Steele estimated that the plans could be brought before the Commission in approximately two weeks.

R70.9 Vacation of a portion of Iowa Street, north of 25th Street.

The Secretary stated that he had received a letter from E. P. Jagels, Director of Industrial Development and Real Estate for the Western Pacific Railroad Company, requesting that the proposed street vacation be tabled for the time being since the firm which had proposed to buy the adjacent property owned by the Western Pacific Railroad Company had decided not to acquire the property. After discussion, it was moved by Commissioner Porter, seconded by Commissioner Miller, and carried unanimously that consideration of the proposed vacation of the subject portion of Iowa Street be postponed indefinitely.

DISCRETIONARY REVIEW OF SERVICE STATION AUTOMATIC CARWASH PROPOSED FOR EAST SIDE OF MISSION STREET BETWEEN 17TH AND 18TH STREETS.

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"Scheduled today for Planning Commission review under its discretionary review powers is a building permit for an automobile service station and car wash on the east side of Mission Street between 17th and 18th Streets on property partially zoned C-2 and partially zoned C-M. Discretionary review of the permit has been requested by the Mission Merchants Associatio who believe that the proposed use would be detrimental to established businesses on Mission Street, and would nullify the City's efforts to improve the areas surrounding the BARTD stations at Mission and 16th Street and at Mission and 24th Streets.

"The subject permit application, No. 380580, was filed by Daniel Kass on February 25, 1970 for City Investment Corporation, owner of the property proposed for development.

"The subject parcel, Lot 36 in Assessor's Block 3575, is a vacant, flat, rectangular shaped parcel 50 feet wide by 245 feet deep having frontages on Mission Street and Capp Street. The western 127.5 feet of the subject lot, fronting on Mission Street, is zoned C-2; the eastern half of the lot, fronting on Capp Street, is zoned C-M. The proposed development is to place two gasoline pump islands on the Mission Street C-2 zoned half of the property, and to place a one story 16-foot wide by 80-foot long mechanical car wash structure on the Capp Street C-M zoned half of the property. The car wash operation would use Sherman Car Wash equipment having a driven brush system containing separate arches for different cleaning

functions, a hook-less conveyor and air drying blower. The equipment would have a capacity of 40 cars per hour. No plans showing the proposed appearance of the building or lot have been submitted with the permit application. The proposed layout of the lot would require 50-foot wide curb cuts for driveways on both Mission and Capp Streets.

"The Planning Code permits an automobile service station as a principal permitted use in a C-2 district, but first allows a mechanical car wash as a principal permitted use in a C-M district. Such a car wash must be provided on the premises a reservoir of vehicle storage and standing area, outside the washing facility, equal to at least one-fourth the hourly capacity in vehicles of such facility. In the subject application a reservoir space for 10 cars would thus be required, and has been provided for on the C-M zoned portion of the subject lot.

"An amendment to the Planning Code to make mechanical car wash facilities a conditional use in both C-2 and C-M zoning districts, approved by the Planning Commission in 1969, is still pending before the Planning and Development Committee of the Board of Supervisors.

"Properties on the east side of Mission Street on either side of the subject block between 17th and 18th Streets are occupied primarily by furniture stores. The subject lot was formerly occupied by an apartment building. Properties on Capp Street are mixed in use; apartment houses occupy lots immediately north of the subject lot on Capp Street and a parking lot occupies Capp Street frontage immediately south of the subject lot.

"Design plans for the Mission Street 16th and 24th Street BARTD station areas are currently nearing completion, and City contracts pursuant to these plans will involve a City investment of over one-half million dollars for beautification of four blocks of Mission Street. Property owners along Mission Street have been working with the City on plans to extend this beautification into additional Mission Street blocks.

"The subject proposal has been referred to the Bureau of Traffic Engineering for comment on effect on traffic circulation, and that Bureau has replied that the proposal would have adverse effect on traffic in this vicinity."

Mr. Passmore also called attention to letters which had been received from Donald B. Head, member of Urban Design Associates, and from Donald Dudley, Executive Vice President of the Mission Merchants Association, objecting to issuance of the subject permit because of its land use, circulation, and urban design implications.

Mr. Dudley, who was present in the audience, stated that the members of his organization felt that the proposed use would definitely not be oriented to the existing character of the district which is basically commercial and which depends on pedestrian activity. He also noted that the City is spending a great deal of

money to improve Mission Street in the vicinity of the two rapid transit stations; and at the same time, private industry is responding with new construction and with renovation projects. Under the circumstances, he believed that the automobile-oriented use being proposed would be most detrimental to the area.

Daniel Kass, the applicant, distributed photographs of other properties in the vicinity of the subject site which have been developed with automobile-oriented uses and which have vehicular access over sidewalks on or adjacent to Mission Street. He stated that the building which had previously occupied the subject property had been destroyed by fire six years ago; and, although the property had been on the market since that time, no one had expressed any interest in improving the site. If the subject application were not to be approved, he believed that the site would probably remain vacant for another ten-year period. He noted that a portion of the subject site is zoned C-2; and it was his impression that the C-2 district had been designed for automobile-oriented uses. The portion of the site fronting on Capp Street is zoned C-M; and he remarked that the City Planning Code specifically provides that car washes may be located in that district. He felt that it might have been possible to preserve the building which had occupied the site; however, since the City Planning Code provides that service stations may be located in C-2 districts and that automobile car washes may be located in C-M districts, he had relied on the Code and had demolished the building. If the permit application were to be denied, he believed that the ultimate effect of the denial would be to prevent him from developing the property since almost any use of the subject site would require off-street parking which would require access from Mission Street over the sidewalk. While it had been argued that the opening of the rapid transit system will encourage improvements in the area and that the proposed use would not be compatible with the new type of neighborhood which will develop, Mr. Kass remarked that economics would dictate that the service station facility be replaced in the future should the quality of the area be significantly improved. In conclusion, Mr. Kass stated that while he favored the redevelopment process with acquisition of property through eminent domain proceedings, he did not believe that the City Planning Commission should have the power to take actions which would have the effect of forcing him to allow his property to remain vacant until such time as the neighborhood has improved to the point that another use of the site would be economically feasible.

Mr. Murphy recommended that a draft resolution be adopted disapproving the building permit application. He believed that the proposed use would have an adverse effect on vehicular and pedestrian circulation in the area; and, since the City is spending a considerable amount of money for beautification of portions of Mission Street in connection with the development of the rapid transit station areas, he believed that uses such as the one being proposed should not be encouraged. In conclusion, he stated that the fact that the property had remained undeveloped for six years did not reflect in any way upon the potential value of the property for development.

Mr. Kass doubted that the members of the Commission could point to a single building presently being constructed in the area; and, given the type of establishments presently in existence in the immediate vicinity, he doubted that anyone would be willing to erect a new building in the neighborhood.

[illegible]

Mr. Cordova, also a member of the Mission Merchants Association and the representative of a group of doctors who plan to construct a medical building with off-street parking spaces in the Mission district, displayed a rendering of the building which his clients proposed to construct. He also displayed a sketch of a commercial arcade building which will be constructed on Mission Street near 21st Street. He remarked that most of the people living in the Mission District are Latin Americans; and he felt that San Francisco should have an attractive Latin quarter. Under the circumstances, he urged that the subject permit be disapproved.

Commissioner Fleishhacker asked if denial of the permit application would preclude the applicant from returning to the Commission within one year with an alternate proposal for the site. Mr. Murphy replied in the negative.

Commissioner Ritchie remarked that the subject site is located four blocks away from the proposed site of the commercial arcade building which had been described by Mr. Cordova; and he felt that the small car wash facility being proposed would be compatible with the existing businesses in the subject block. He then asked Mr. Kass how many people would be employed by the proposed facility and how many automobiles might be accommodated in one day.

Mr. Kass replied that the facility would employ 10 or 15 people who would probably be residents of the area. He estimated that the proposed car wash could accommodate 300 automobiles a day.

Mr. Cordova noted that a car wash is already in existence at 16th Street and South Van Ness Avenue; and he believed that the existing facility is sufficient to serve the needs of the area. In any case, professional rather than menial jobs are needed for residents of the area; and a new and attractive Latin American district should be created in the area instead of perpetuating the types of uses presently in existence.

Milton Stern, Jr., an attorney and an associate of Mr. Kass's, stated that he and Mr. Kass shared the desire of the Mission Merchants Association to improve the subject neighborhood. However, he felt that the proposed car wash should be regarded not only in terms of its possible effect on the future improvement of Mission Street but also in terms of its relationship to the law. After the apartment building which had previously occupied the site had burned, Mr. Kass had indicated that he wished to remodel the building; however, the City had refused to allow the building to be remodeled since it did not contain any off-street parking. Subsequently, the City had initiated a condemnation suit against the building; and, as a result, Mr. Kass had spent money to have the building demolished. Mr. Kass had then come to the Department of City Planning and had been advised at the zoning counter that the property could be used for the proposed service station and car wash since the site contains both C-2 and C-M zoning. Under the circumstances, he did not understand how the Commission could disregard the zoning of the site and proceed to disapprove the permit application; and he did not feel that the Commission should expect the subject lot to be the only one in the area to have "flowers planted in front of it". Furthermore, in reviewing the City Planning Code, he had

found no provisions giving the Commission discretionary authority except through conditional use procedures; and, since Mr. Kass had not requested conditional use authorization for the proposed facility, and since no legislation had been adopted giving the Commission the right to exercise its discretion in reviewing projects proposed in the vicinity of BART station areas, he questioned whether the Commission actually had the authority to disapprove the permit application.

Phillip Hunter, treasurer of Redlick's Furniture Store, stated that existing automobile-oriented uses in the area do not help retailing businesses; and he felt that any uses which would interfere with pedestrian traffic on Mission Street would have a detrimental effect on the retailers.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Miller, and carried 5-1 that Resolution No. 6507 be adopted and that the building permit application be disapproved. Commissioners Finn, Fleishhacker, Kearney, Miller, and Porter voted "Aye"; Commissioner Ritchie voted "No".

At 3:20 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:30 p.m. for the scheduled zoning hearing. Commissioner Finn was temporarily absent from the meeting room.

3:30 p.m. Room 282, City Hall

CU78.20 161 Minna Street, southwest corner of New Montgomery Street Request for a private parking garage for approximately 181 vehicles for Pacific Telephone and Telegraph Company General Office Building; in a C-3-O district.

The Secretary read a letter from E. P. Gardiner, Building Engineer for the Pacific Telephone and Telegraph Company, stating that the proposed project would have to be deferred indefinitely and requesting that the subject application be withdrawn.

R. Spencer Steele, Assistant Director - Implementation, recommended that a draft resolution which he had prepared be adopted approving the withdrawal of the subject application.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Resolution No. 6508.

At this point in the proceedings, Commissioner Finn returned to the meeting room and re-assumed his seat at the Commission table.

CU70.19 1515 19th Avenue, West Line, 82.5 feet south of Kirkham Street. Request for horizontal expansion of Pacific Telephone and Telegraph Company's communications equipment building; in an R-3 district.

R. Spencer Steele, Assistant Director - Implementation, referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to expand the existing communications equipment building westwardly in a horizontal fashion. The proposal would result in a building addition approximately 85 feet wide, 73 feet deep, and 52 feet high fronting on 20th Avenue to the rear of the existing equipment building and would relocate a parking lot to the south side of the property through the demolition of the two older Telephone Company buildings presently fronting on 19th Avenue. The addition would have a 15-foot-deep landscaped area between the 20th Avenue facade of the building and the 20th Avenue property line. The parking lot would be situated primarily on the southeastern corner of the subject property but would have its sole access from 20th Avenue to the west. The Telephone Company had indicated that the parking area will not be used for storage of service trucks; and, with the installation of the new equipment being proposed, it has anticipated that the number of employees on the site would be reduced from 107 to 84.

Henry Morris, representing the Pacific Telephone and Telegraph Company, displayed a map of the location of various central office facilities in San Francisco, each of which serves approximately 50,000 telephone users; and he explained the engineering requirements which dictate the location of that type of facility. He advised the Commission that the subject facility will have reached its full capacity in 1972; as a result, the expansion presently being proposed would be necessary if the quality of telephone service in the area is not to be impaired. He displayed a plot plan, rendering, and a model of the proposed expansion project pointing out the location of the proposed parking lot and indicating where landscaping would be installed. While access to and egress from the proposed parking lot had been proposed from 20th Avenue, the Pacific Telephone Company would be willing to relocate the driveway to 19th Avenue if the Commission should so desire. Unlike the location of the proposed parking lot, however, the location of the building addition would not be flexible since the equipment within the existing building can be expanded only in a lateral fashion towards 20th Avenue; and he referred to diagrams in the interior of the model to explain mechanical reasons for that statement of fact. Mr. Morris advised the Commission that the proposed expansion project would meet the floor area ratio requirements of the City Planning Code; and, in the interest of maintaining a good relationship with residents of the subject neighborhood, the Pacific Telephone Company would be willing to agree to require the contractor for the project to bring workers to the site in buses. He also noted that upon completion of the proposed expansion project the number of workers on the site will be reduced by 23 persons; and he emphasized that the service trucks which have previously been stored on the property have been permanently relocated to another area.

Commissioner Ritchie, reviewing the plans which had been submitted to the Commission, remarked that no landscaping was shown along the southern property line of the subject site; and he remarked that the landscaping being proposed along 19th Avenue seemed to be quite minimal. Mr. Morris replied that the landscaping being proposed along 19th Avenue would replace a cement strip presently in existence; and he indicated that the Pacific Telephone Company would be amenable to installation of landscaping along the southern property line of the site.

Mr. Goodwin, operator of a business located at 19th Avenue and Irving Street, stated that his business is entirely dependent on the telephone. He realized that utilities companies must plan ahead; and he stated that he would regret to see the Pacific Telephone Company's system become as outdated as the city's sewerage system.

Franklyn Lyons, 111 Sutter Street, noted that 20th Avenue is developed primarily with single-family dwellings which are subject to a height limit of 40 feet; and, if the Pacific Telephone Company were willing to give careful study to the matter, he believed that the height of the proposed building could be reduced so that it, also, would conform with the 40-foot height limit.

Mr. Guillaumou, 1531 20th Avenue, stated that he had purchased his property six years ago; and, at that time, he had been advised that the Telephone Company rarely constructs new buildings on its property. Yet, the building now being proposed would be located almost directly across the street from his property; and it would destroy the view presently enjoyed from his home.

Mrs. Dorris, 1507 18th Avenue, advised the Commission that the proposed building would destroy the ocean view which she presently enjoys from her property. Since the equipment in the proposed building would serve the Ingleside district as well as the Parkside and Sunset districts, she did not understand why another building in the Ingleside district could not be remodeled to house the equipment instead of placing it on the subject property. In conclusion, she stated that she and other residents of the neighborhood were opposed to having any more commercialism in the neighborhood.

President Kearney asked for a show of hands of those in the audience who were opposed to the subject application. Approximately 12 people raised their hands.

Reynold Schmidt, 1566 20th Avenue, acknowledged the importance of keeping pace with the need for more telephone equipment; however, he did not believe that it should be necessary for the Telephone Company to construct a building with a height of more than 40 feet on the subject property.

Joan Richardson, 1561 20th Avenue, advised the Commission that many residents of the neighborhood had not been able to attend the public hearing because they are working people; however, she had met with more than 100 families in the area who were in opposition to the proposed expansion of the Telephone Building. Mrs. Richardson noted that most of the buildings on 20th Avenue have a height of only 15 or 20 feet; and she believed that the 52-foot high building being proposed would dominate the neighborhood. She stated that there had been accidents on 20th Avenue; and she felt that the driveway for the proposed facility would only add to the hazard. Furthermore, construction of the proposed building would take away a great deal of privacy from people presently living on 20th Avenue.

Mrs. Richardson also noted that the Telephone Company did not propose to demolish the two existing buildings on 19th Avenue until the construction project has been completed. Under the circumstances, while the present parking would have to be torn up to accommodate the new building, the new parking area would probably

Mr. Goodin, [illegible] Avenue, [illegible] stated that his [illegible] entirely dependent on the television, [illegible] utilities [illegible] he would [illegible] Pacific Telephone Company's [illegible].

Frances Lyons, [illegible] Street, noted that this Avenue is developed primarily with single-family dwellings [illegible] 40 feet [illegible] and the Pacific Telephone Company were willing [illegible] to the extent, he believes [illegible] the height of the proposed building could be reduced so that [illegible] right of way.

Mr. [illegible], [illegible] 24th Avenue, stated that he had purchased his property [illegible] years ago, and, at that time, he had been advised that the Telephone Company [illegible] new building on its property. [illegible] the building [illegible] would be located almost directly across the street from his property, and it would destroy the view presently enjoyed from his home.

Mrs. Harris, [illegible] 24th Avenue, informed the Commission that the proposed building would destroy the [illegible] which are currently enjoyed [illegible] in the proposed building [illegible] as well as the [illegible] she did not understand why the [illegible] should [illegible] planning [illegible] on the subject [illegible]. In conclusion, she stated that [illegible] and other residents of the neighborhood [illegible] opposed to having any more [illegible] in the neighborhood.

President Kearney asked for a show of hands of persons present in the audience who were opposed to the subject application. Approximately 12 persons raised their hands.

Raymond Kennedy, [illegible] remarked that [illegible] with the need for more telephone [illegible] however, he did not believe that it should be necessary for the Telephone Company to construct a building with a height of more than 40 feet on the subject property.

Ann Richardson, [illegible] 24th Avenue, advised the Commission that [illegible] residents of the neighborhood [illegible] petition [illegible] more than 100 [illegible] were in opposition to the proposed [illegible] of the telephone building. Mrs. Richardson noted that [illegible] Avenue [illegible] the effect [illegible] building [illegible] road [illegible] accident [illegible] the proposed building [illegible] a great [illegible] view [illegible] 24th Avenue.

Mrs. Richardson [illegible] Telephone Company did not [illegible] the [illegible] of the [illegible] to be [illegible].

not be completed for approximately 28 months. She felt that the existing buildings should be torn down immediately so that the new parking area will be available during the construction process.

The Secretary called attention to letters which had been received from Mrs. Charles M. Paul, 1719 30th Avenue, and from Carl A. McNally, 1578 28th Avenue, in opposition to the subject application.

Mrs. John A. McBride, 1541 20th Avenue, stated that she had appeared before the Commission eight years ago when the Pacific Telephone Company had last requested permission to expand its facilities; and she stated that the Telephone Company had never honored the commitment which it had made at that time. While the proposed parking lot would accommodate 35 automobiles, the enlarged facility would have a total of 84 employees; and she wondered where the individuals not using the parking lot would park their automobiles. She, also, objected to the height of the proposed building since it would dwarf the other buildings on the street, most of which are bungalows; and she advised the Commission that noise on the property is so loud at night that the people who live in the house next door are not able to sleep.

Mr. Richardson noted that the proposed building would be almost twice as high as the building next door; and he indicated that he was most emphatically opposed to the project.

Mr. Steele recommended that the application be approved subject to conditions.. He felt that the suggestion made by members of the audience that the height of the proposed building should be reduced to forty feet had considerable merit; however, he believed that the Telephone Company had done the best that they could under the circumstances. It was obvious to him that the people living in the area would prefer to have the property remain unchanged; however, since it was apparent that the equipment on the subject site is reaching capacity, it was apparent that some concession would have to be made so that quality telephone service could be maintained. While views from certain properties located on 18th Avenue would be damaged by the proposed building, he doubted that the damage would be of great significance. In any case, the plans which he had reviewed had indicated that the height of the proposed building would be 47 feet including the parapet wall; and as a result, he did not feel that the building would constitute as large an obstruction as certain residents of the neighborhood had claimed. While noise on the subject site may have been a disturbing factor in the past, he noted that the Telephone Company had indicated that service trucks would no longer be parked on the site; and he noted that one of the conditions in the draft resolution would specify that installation vans or other service vehicles would not be parked on the subject lot. After reviewing the six conditions which were contained in the draft resolution of approval which he had prepared, he recommended adoption of the resolution.

Commissioner Porter stated that she recognized the need for expansion of the telephone facility; yet, she felt quite strongly that access to and egress from the proposed parking lot should be from 19th Avenue rather than 20th Avenue so that the impact of the facility would be lessened for people living on 20th Avenue.

[illegible]

Mr. Richardson remarked that the subject neighborhood has been disturbed by construction of the new Shriner's Hospital over the past two years; and he noted that the new construction project proposed by the Telephone Company would also be disruptive to the neighborhood.

Commissioner Fleishhacker, noting that 84 employees would be working on the site after completion of the expansion project, asked why only 30 parking spaces were being provided. Mr. Morris replied that 84 employees were the maximum anticipated on a 20-year projection period. In 1972, the maximum number of employees would be 69; and they would be split into two shifts.

Commissioner Fleishhacker asked if there would be a sufficient number of parking spaces to serve the employees working on each shift. Mr. Morris replied in the affirmative.

Mrs. Richardson advised the Commission that the Telephone Company had previously promised that their parking lot would be used by their employees; but the employees had chosen to park on the street instead. When she had called the Telephone Company concerning the matter, she had been advised that the Telephone Company could exercise no control over the parking habits of its employees.

Commissioner Ritchie felt that the gigantic mansard style roof proposed for the new building in an apparent attempt to blend the building into the residential neighborhood would be a catastrophe; and, if he lived on 20th Avenue, he would hate to have to look at the building which he regarded as being ugly. He also noted that the proposed building would have approximately the same floor area as the two existing buildings which would be removed; and, under the circumstances, he believed that it would not be impossible for the Telephone Company to remodel the existing buildings to house the new equipment. Mr. Morris replied that lateral expansion of the equipment would be impossible because of the engineering features of the equipment; and he proceeded to explain the technical characteristics of the equipment in order to make his point.

Commissioner Ritchie stated that while he is no engineer, he was confident that it would be possible for the Telephone Company to expand their equipment into the existing building if that alternative were to be pursued. However, if the Telephone Company were to proceed in accordance with the plans which had been submitted, he hoped that additional landscaping would be provided in the strip along 19th Avenue and that the portion of the property which would have been used as a driveway to 20th Avenue would be landscaped, also.

Mr. Richardson asked if it would be possible to require the Telephone Company to tear down the existing buildings before proceeding with construction of the new building so that parking would be available during the construction process. Mr. Morris replied that certain equipment presently located in the existing buildings would be housed in the basement of the new building; and, as a result, the existing buildings could not be demolished until the new building

[illegible]

[illegible]

[illegible]

has been completed. He also advised the Commission that the existing buildings were built in 1910 to house operators; and, as a result, they were not designed to bear the load of the new equipment to be installed on the site even if the equipment could be expanded in that direction.

Commissioner Ritchie asked if the windows on the 20th Avenue facade of the new building would be illuminated and if there would be an entrance to the building on that side. Mr. Morris replied that the only door to the new facility would be located on the south side of the building; and he indicated that the windows would consist of colored glass placed in front of a board.

Commissioner Porter asked if the Telephone Company would be willing to guarantee that no signs would be installed along the 20th Avenue frontage of the site. Mr. Morris replied in the affirmative. He also advised the Commission that the proposed building would not exceed the height of the existing equipment building even if the height of the building as measured from the sidewalk on 20th Avenue might be greater than the height of the existing building as measured from the sidewalk on 19th Avenue because of the slope of the property; and he had taken photographs to demonstrate that the existing building does not block views of the ocean from 18th Avenue. He also noted that new views would be created because of the demolition of the two existing buildings on the 19th Avenue frontage of the site.

Commissioner Ritchie asked if the Telephone Company would be willing to consider a roof which would be more attractive than the mansard style which had been proposed. Mr. Morris replied in the affirmative.

Commissioner Fleishhacker felt that the mansard style roof which had been proposed would be attractive; and he hoped that it would not be changed.

Mrs. Richardson asked what could be done to force employees of the Telephone Company to use the proposed parking lot. Mr. Morris replied that it had been difficult for employees to use the parking lot when the lot had been used for storage of service trucks. However, since the trucks had been removed to a new location, the Telephone Company would be willing to go as far as the law allows in requiring its employees to park in the parking lot.

Mr. Steele asked about the purpose of the driveway which would be located on the north side of the proposed building. Mr. Morris replied that the area in question would not be a driveway but a setback. In response to a further question addressed to him by Mr. Steele, Mr. Morris stated that equipment for the new facility would be delivered from 19th Avenue to the south side of the building.

Commissioner Ritchie asked if the Telephone Company would be willing to relocate the entrance to the parking lot from 20th Avenue to 19th Avenue, if it would be willing to install heavy landscaping in the area formerly designated as a driveway, and if it would install heavy landscaping along 19th Avenue

to protect residents of 20th Avenue from the glare of traffic lights. After Mr. Morris had replied in the affirmative, Commissioner Ritchie suggested that those conditions should be incorporated into the draft resolution.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be amended as suggested by Commissioner Ritchie with the agreement of the Pacific Telephone Company and that it be adopted as City Planning Commission Resolution No. 6509.

CU70.17 333 Taylor Street, west line, 62.5 feet north of Ellis Street.
Request for an automobile rental lot in a C-3-G District.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to use the property for an automobile rental lot; and, since the City Planning Code permits automobile rental lots in a C-3-G District only as conditional uses, the use would be subject to specific conditions which are spelled out in detail in the Code. If the application were to be approved, a 12 foot by 24 foot rental office would be constructed six feet from the Taylor Street lot line of the property; and landscaping would be installed in the six foot setback in front of the building. The exterior of the building would consist of glass and painted Galvanized sheet-metal panelling.

Gene Gans, representing Dollar-a-Day Rent-a-Car, displayed and described a rendering of the proposed building, noting that landscaping would be installed along each side of the lot and in front of the building. He stated that the proposed automobile rental lot would serve as a drop-off location for automobiles being returned from the airport.

Commissioner Miller noted that while the landscaping depicted on the rendering appeared to be short and sparce, the City Planning Code would require the plant materials to be four feet high and compact.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele felt that the use proposed would be appropriate for the subject site; and he recommended that the application be approved subject to six specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. In reviewing the conditions which were being proposed, he placed particular emphasis on condition No. 6 which would provide that use of the adjacent street area for the unloading of cars brought to the site by trucks would be prohibited.

[illegible]

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6510 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU70.14 3000 California Street, northwest corner of Baker Street. Request for office building for the Children's Homes Society of California, an eleemosynary institution; in an R-4 District.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to construct an office building on the site which would be solely for the applicant's own use. Plans for the proposed building which had been submitted called for a building having two floors of offices over a ground floor parking area for nine cars. The activities which would take place within the building would consist of interviewing, group counselling, small committee meetings, board and staff meetings and examination of infants and small children by a pediatrician at a weekly clinic. If the property were to be developed residentially under the R-4 provisions of the City Planning Code, a maximum of 25 dwelling units would be permitted on the site.

Tom Timberlake, representing the applicant, displayed and described a rendering of the proposed building. He remarked that the building would replace a nonconforming use service station which presently occupies the site. The proposed building would be used solely as an office building during normal working hours; and the only nonoffice activity which would take place on the site would be a weekly clinic for babies. Mr. Timberlake informed the Commission that the Children's Homes Society counsels both natural and adoptive parents and operates with a full-time staff of seven people, four of whom are usually in the field. In addition, the agency has five part-time employees and some volunteers.

Commissioner Ritchie noted that an attractively restored Victorian house is located directly north of the subject property and that the house to the west of the site has windows facing the subject property; and he wondered if open spaces would be provided adjacent to those buildings. Mr. Timberlake replied in the affirmative, noting that the proposed building would conform to the same setbacks as would be required for an apartment building. He indicated that a 15-foot landscaped strip would be provided between the proposed building and the northerly property line of the site.

Commissioner Ritchie felt that landscaping other than just trees should be installed in the setback areas to separate the existing houses from the proposed office building. Mr. Timberlake replied that the applicant would be willing to conform to any landscaping requirements established by the Commission.

Lillian Montgomery, 3018 California Street, noted that the proposed office building would be used by a charitable organization and wondered if it would attract a lot of people to the neighborhood. Mr. Moran, Director of the Children's Homes Society of California, stated that clients coming to the office building for interviews would have appointments. Therefore, there would never be a large number of people waiting for interviews.

Mrs. Montgomery stated that she felt that the situation which had been described by Mr. Moran would be satisfactory. She then noted that only nine parking spaces would be provided on the site and questioned whether that amount of parking would be sufficient during the weekly clinic and during the evening meetings on the site. Mr. Moran replied that evening meetings would be held only twice a month; and he believed that sufficient parking spaces would be available to serve the needs of the people attending those meetings.

Mrs. Montgomery stated that she felt that the proposed building would be an improvement over the nonconforming use service station which presently occupies the subject site.

Mrs. Theodore Davis, 3009 California Street, believed that the nine parking spaces which would be provided would be used by the employees of the agency and that no parking spaces would be available for the people who would come to the office building for interviews. Mr. Moran replied that only four employees would be working full-time in the office building.

Dennis King, member of the Board of Directors of the Children's Homes Society of California, stated that the factors which had been mentioned both by members of the Commission and by people in the audience had been considered when plans were being prepared for the proposed facility. He stated that he and his associate had been made aware that the subject neighborhood is beautiful and charming; and they were anxious to be good neighbors. He believed that the proposed building would be an attractive addition to the neighborhood; and he did not feel that the proposed use would impose any parking burden on the area, particularly at night.

Mr. Steele recommended that the application be approved subject to three conditions which were contained in a draft resolution which he had prepared for review by the Commission. After reviewing the conditions, he recommended adoption of the draft resolution.

Commissioner Porter asked when the applicant proposed to start construction on the site. Mr. Timberlake replied that the Humble Oil Company holds a lease on the property which does not expire until May, 1971; however, he was hopeful that the property would be made available to his agency before that date.

After further discussion, it was moved by Commissioner Miller, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6511 be adopted and that the application be approved subject to the conditions contained in the draft resolution.

ZM70.7 Southwest side of Innes Avenue, between Hawes and Griffith Streets, involving 16 Assessor's lots. R-1 to an R-2 District.

The Secretary stated that a letter had been received from Minnie Wong, the applicant, requesting withdrawal of the subject application.

Mr. Steele recommended the adoption of a draft resolution which he had prepared approving the withdrawal request.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6512 be adopted and that the subject application be withdrawn.

CU70.11 Evans Avenue, northeast side, 195.43 feet southeast of Napoleon Street. Request for an automobile wrecking yard in an M-2 District.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property which is presently owned by the Division of Highways of the State of California. He stated that the applicant proposed to lease the property from the State of California and to install an automobile wrecking yard on the site. Mr. Steele noted that the City Planning Commission had adopted Resolution No. 6358 on April 3, 1969, setting guidelines for review of conditional use applications for automobile wrecking yards; and he concluded in his remarks by summarizing the guidelines which were contained in that resolution.

Joe Sciancalepore, the applicant, stated that he presently operates an automobile dismantling yard in the Butchertown redevelopment project area; and he indicated he wished to modernize his operation in moving to the new site. He stated that he intendedto construct a 10-foot high fence around the subject property; and he assured the Commission that the property would be used only for the dismantling and not for the wrecking of automobiles.

Commissioner Miller inquired about the type of fence to be installed around the site. Mr. Sciancalepore stated that he proposed to construct a solid fence which would be constructed of corrugated or sheet metal.

Commissioner Ritchie noted that the fence around Mr. Sciancalepore's present yard is covered with billboards and is unsightly; and he felt that a more attractive fence should be required around the subject site.

Earl Moore, representing M & M Charter Bus Lines, spoke in opposition to the subject application. He stated that his firm has a contract with the Unified School District to bus 650 handicapped children to and from school; and most of the drivers who are employed for the buses are women. Under the

circumstances, he felt that use of the subject site for an automobile wrecking yard would constitute a fire and traffic hazard since the subject property is located directly across the street from the property owned by his firm. Mr. Moore also remarked that the bus drivers must drive their own automobiles to and from work since no public transportation is available in the subject neighborhood; and since automobile wrecking yards usually park a number of automobiles on the street, the proposed use of the subject site would create a parking problem for the employees of his firm. In conclusion, Mr. Moore remarked that the quality of the subject neighborhood is improving; and he felt that approval of the proposed use would downgrade the area.

Commissioner Ritchie suggested that it would be desirable for the Commission to require that a sufficient number of parking spaces be provided on the site to accommodate customers and employees of the wrecking yard. Mr. Sciancalepore stated that the subject property is sufficiently large to allow him to provide off-street parking on the site; and he did not intend to park automobiles on the street. He also advised the Commission that he does not engage in automobile wrecking activities and that he had never had a fire.

Commissioner Ritchie remarked that the M & M Bus Lines could easily have a fire on their property; and, in that case, the proposed wrecking yard might suffer damage. Therefore, the problem of fire hazard could work two ways.

Mr. Moore believed that the proposed automobile wrecking yard would pose a greater threat of fire than the bus line.

Another member of the audience stated that a man who had formerly operated a wrecking yard in San Francisco had dismantled automobiles with a torch; however, Mr. Sciancalepore would merely disassemble the automobiles by hand and would then send them to Niles for dismantling. In any case, he pointed out that the M & M Bus Lines are already located across the street from an automobile wrecking operation.

Eileen G. Callaghan, a partner in the Grosjean-Callaghan Investment Company, stated that her firm owns approximately six acres of land in the immediate vicinity of the subject site. She stated that they have a nice-looking building and that they are paying higher and higher taxes; and she felt that the proposed automobile wrecking yard would depreciate the value of properties in the area and that it would be unsanitary. She stated that the neighborhood is zoned for food-processing industry; and she believed that approval of the proposed automobile wrecking yard would cause a great hardship for her firm and for other firms which are trying to develop the area.

Henry Levine, one of the owners of the parcel of property located on the southeast corner of Evans Avenue and Toland Street, which is presently occupied by M & M Charter Bus Lines and the Parisian Bakery, stated that he and his partner had done a great deal to upgrade their property. He noted that the proposed automobile wrecking yard would be visible from the approaches to the Southern Freeway; and he did not feel that an automobile wrecking or dismantling yard

would be a very pleasing subject for the eye from any vantage point. Furthermore, if automobile wrecking yards were not considered to be an acceptable use for the Butchertown industrial area, he did not see how anyone could expect such a use to be welcomed in the vicinity of food-processing plants such as Hormel, Grosjean, and the Parisian Bakery, not to mention the produce market.

Ed Breenan, representing the Parisian Bakery, stated that his firm, which employes 150 people and utilizes 60 vehicles, is located directly across the street from the subject property. He noted that traffic on Evans Avenue is often heavily congested, particularly between the hours of 3:30 and 5:00 in the afternoon and on days when baseball games are played at Candlestick Park. He remarked that Evans Avenue is one of the main arteries leading from Third Street to Army Street; and he estimated that Evans Avenue carries almost as much traffic as Army Street. Under these circumstances, he felt that it would be completely inappropriate to approve an automobile wrecking yard for the subject site since no use could have a more detrimental effect on the flow of traffic. He remarked that the surrounding neighborhood has been developing into choice industrial property ever since the new produce market has been constructed in the area; and he believed that installation of the proposed wrecking yard on the subject site would be completely inappropriate. In conclusion, he advised the Commission that any odors which might be created by the automobile wrecking yard would affect the flavor of the bread being produced by his bakery.

Mrs. Andrew Gallagher, representing the Southern Promotion Association, stated that she had received several telephone calls from industries located in the subject neighborhood objecting to the proposed use. In view of the money which had already been spent to improve the area, including undergrounding of utilities and widening of Evans Avenue, she felt that the proposed automobile wrecking yard should not be approved for the subject site.

Mr. Grossman stated that he had dealt with many automobile wreckers; and he did not know of any wrecking establishment which would accept automobiles which have not been stripped and cut down. Furthermore, no matter how hard the applicant might try to control on-street parking of automobiles, his customers would inevitably park on the street if no other space were available. In addition, he expected that tow-trucks bringing "junkers" to the lot would double-park in front of the lot; and such circumstances could have a terrible effect on the flow of traffic through the area.

The Secretary called attention to a letter which had been received from John J. Thompson, manager of the Evans Products Company, in opposition to the subject application.

Commissioner Ritchie stated that he had spent a great deal of time in the subject neighborhood during the past 20 years; and he indicated that he had always considered the Southern Pacific lines and the new Southern Freeway route to constitute a barrier between the subject neighborhood and the automobile wrecking activities to the east. Given that fact, and considering the effect

which the proposed automobile wrecking yard might have on traffic using Evans Avenue, he felt that approval of the subject application would not be appropriate. While he recognized that the problem of where to locate the automobile wreckers must be solved, he did not feel that the ultimate solution to the problem would lie in using excess state property for automobile wrecking activities. He noted that approval of the subject application would bring automobile wrecking activities into a heavily congested industrial area where well-established firms have invested a great deal of money; and he felt that the proposed use would both depress the future character of the area and add to an already difficult traffic situation. He stated that he and many other individuals had spent a great deal of effort to improve the subject neighborhood; and he felt that approval of the subject application would be a "big step backwards". Under these circumstances he was not inclined to vote in favor of the request.

Mr. Steele recommended approval of the application subject to eleven specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. He remarked that the automobile wrecking industry is changing; and he felt that some of the statements which had been made during the public hearing had overemphasized existing conditions. While the staff of the Department of City Planning had requested a report on the proposal from the Bay View-Hunters Point Model Neighborhood Agency more than two months ago, no reply had been received. However, letters had also been addressed to the Police Department, the Air Pollution Control Board, the Health Department, the Bureau of Building Inspection, the Department of Motor Vehicles, and the Fire Department, giving an indication of the type of conditions which were being considered by the staff of the Department of City Planning; and the replies which had been received had contained comments which were generally favorable towards the proposed use. After summarizing the comments which had been received from the various agencies which had been contacted, Mr. Steele noted that there are several other open industrial uses in the vicinity of the subject site; and, therefore, he did not feel that the proposed automobile wrecking yard would be particularly out of character with the neighborhood. The automobile wrecking yard would not be visible from any residential building; and it would conform with the guidelines which had been established by the Commission in Resolution No. 6358. After reading and commenting upon the conditions which were contained in the draft resolution, he recommended that the draft resolution be adopted and that the application be approved.

Commissioner Fleishhacker asked if Mr. Steele felt that it would be desirable to specify a time limit for the proposed use. Mr. Steele replied that the applicant would have only a two-year lease on the property from the state; and if the Commission were to complicate the matter further by establishing a time limit on its own, he felt that it would be impossible to require the applicant to undertake all of the improvements specified in the conditions contained in the draft resolution.

Commissioner Fleishhacker asked if the Commission would have the power to terminate the conditional use should it be approved. Mr. Steele replied in the affirmative.

Commissioner Ritchie felt that the conditions which had been outlined by Mr. Steele would be quite worth while if the application were to be approved; however, he believed that the use itself would have a depressing effect on the neighborhood and that it would bring too many problems to the area. Consequently, he felt that the application should be disapproved and that further effort should be made to find an appropriate location for the automobile dismantling industry.

Commissioner Fleishhacker moved that the draft resolution be adopted with the addition of another condition establishing a time limit for the use. The motion was seconded by Commissioner Finn.

Commissioner Porter remarked that it was evident that some place must be made available for the dismantling of automobiles in San Francisco. However, having visited the subject property during the course of a field trip, she felt that conditional use authorization for the proposed use should not be granted on a permanent basis. Since the applicant would have only a two-year lease on the property from the State, she wondered if he would be willing to accept a five-year time limit on the conditional use authorization. Then, if the use should prove to be as loathsome as Commissioner Ritchie anticipated, it could be terminated at that time; if not, the conditional use authorization could be renewed at that time.

Mr. Sciancalepore replied that a five-year time limit on the conditional use authorization would be acceptable.

Commissioner Finn asked the applicant how long it would take him to amortize the cost of the improvements which would be installed on the site. Mr. Sciancalepore replied that the improvements could be amortized in one year.

Commissioner Fleishhacker asked that a five-year time limit on the conditional use authorization be included in his motion to approve the subject application. He agreed with Commissioner Ritchie that serious problems are involved in finding appropriate sites for automobile wrecking activities; however, he felt that the particular operation being proposed had been well conceived. Furthermore, since the applicant was willing to conform to requirements which had previously been established by the Commission, he felt that the applicant should be given a fair chance to show what he can do. If the applicant is able to do a good job, the wrecking yard may serve as a pilot project; and he believed that the project would succeed because the applicant had obviously had the backing of his colleagues, all of whom would be anxious to have a demonstration project succeed. In any case, the proposed automobile wrecking yard would not be a large operation; and the lot is in a terrible mess at the present time.

Commissioner Miller stated that he was inclined to support Commissioner Ritchie. He noted that the City does not have many well developed industrial areas; and, since the area in question is not large enough to accommodate all of the automobile wreckers, he did not feel that the Commission should risk the possibility of endangering an established industrial area for the purpose of a pilot project.

President Kearney stated that he, also, tended to support the position taken by Commissioner Ritchie; however, he thought that it should be someone's responsibility to do something to find an appropriate location for automobile wrecking activities in San Francisco.

Commissioner Finn, noting that the applicant would have only a two-year lease on the property from the State, suggested that the time limit on the conditional use authorization should be two years, also, instead of the five-year time limit previously suggested. Commissioner Fleishhacker agreed.

Commissioner Ritchie remarked that there is a lot of industrial land in the Bayview District which is located at a great distance from residential buildings and which might be appropriate for automobile wrecking activities; and he was confident that appropriate sites for automobile wrecking activities could be found. However, he did not feel that use of the subject site, which is surrounded by food-processing industries, should be used for such activities.

Commissioner Fleishhacker remarked that approval of the subject application would not establish a pattern since the Commission would have to review each individual application on its own merits.

Mr. Steele noted that the Commission had previously recommended an amendment to the City Planning Code to provide that automobile wrecking yards should be considered as conditional uses in both M-1 and M-2 districts; and he noted that the amendment to the Code had been recommended by the Commission because of the problems associated with automobile wrecking yard activities. Yet, at that time, the Commission had felt that automobile wrecking yards can in fact be compatible with other industries given proper conditions; and the conditions which had been proposed had been met in the present instance. In conclusion, he noted that the subject property is zoned M-2; and he remarked that the proposed use would have been permitted on the site a year ago without any conditions whatsoever.

When the question was called, Commissioners Finn, Fleishhacker, and Porter voted "Aye"; Commissioners Kearney, Miller and Ritchie voted "No". As provided in the rules and regulations of the City Planning Commission, "A tie vote on any matter before the City Planning Commission shall be deemed to be a disapproval thereof." Therefore, Resolution No. 6513 was adopted and the subject application was disapproved.

ZM70.8 1300 Potrero Avenue, southwest corner of 25th Street
R-4 to a C-2 District

CU70.16 1300 Potrero Avenue, southwest corner of 25th Street
Request for reconstruction of an existing nonconforming use service station with increased lot coverage and adjacent parking lot; in an R-4 District.

[illegible]

[illegible]

[illegible]

The Secretary read a letter which had been received from Joseph I. Kelly, attorney for the applicant, requesting that the public hearing for applications CU70.16 and ZM70.8 be postponed until the earliest calendar date available to the Commission. Mr. Steele recommended that the hearing of these matters be postponed until the Commission's meeting on May 7. After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that hearing of the subject application be postponed until the meeting of May 7, 1970.

CURRENT MATTERS (CON'T)

Mr. Murphy distributed copies of a draft resolution which had been prepared at the request of the Commission and which contained the following resolved:

"THEREFORE BE IT RESOLVED, That the General Services Administration be petitioned to further investigate available alternate sites in the City of San Francisco which are more appropriate for the proposed Federal Archives Building; and

BE IT FURTHER RESOLVED, That this Commission offers to assist the General Services Administration in this site investigation should the General Services Administration so desire; and

BE IT FURTHER RESOLVED, That the General Services Administration be petitioned to use Fort Miley for additional park, recreation, and historic site purposes in line with President Nixon's executive policies on the urban environment; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to His Honor, the Mayor, and to the Board of Supervisors for appropriate dissemination and implementary action."

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6514.

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, April 9, 1970.

The City Planning Commission met pursuant to notice on Thursday, April 9, 1970, at 2:15 p.m. at 100 Larkin Street.

PRESENT: James S. Kearney, President; Mortimer Fleishhacker, Thomas G. Miller, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President; and James K. Carr and Mrs. Charles B. Porter, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Edward I. Murphy, Assistant Director; R. Spencer Steele, Assistant Director - Implementation; Samuel Jung, Planner IV; Ralph Mead, Planner IV (Zoning); and Lynn E. Pio. Secretary.

Mike Mahoney represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Miller, and carried unanimously that the minutes of the meeting of March 19, 1970, be approved as submitted. Approval of the minutes of March 12, 1970, was deferred until the meeting of April 16.

CURRENT MATTERS

Edward I. Murphy, Assistant Director of Planning, reported that the Board of Supervisors, meeting on Monday, had unanimously approved both the Market Street Sign Ordinance and the Northern Waterfront Code amendments as previously recommended by the City Planning Commission; however, the Commission's proposals for height limitations south of the Ferry Building have been kept in Committee for further hearing on April 21. In the case of both the Market Street Sign Ordinance and the Northern Waterfront Code amendments, certain sections adopted by the Board are being returned to the Department of City Planning for further study and report.

Mr. Murphy advised the Commission that the Board of Supervisors, meeting next Monday, will hear an appeal on a zoning reclassification for property located at 534-30th Avenue which was previously disapproved by the Commission.

CONSIDERATION OF A PROPOSAL TO DESIGNATE AS A LANDMARK THE ORIGINAL U.S. MINT AND SUBTREASURY BUILDING ON COMMERCIAL STREET

Ralph Mead, Planner IV (Zoning), commented on the historical aspects of the subject building which had prompted the Landmarks Preservation Advisory Board to recommend designation of the building as a Landmark. The relevant facts can be summarized as follows:

> "Site of the first United States Branch Mint in California, opened in 1854; the original storage vaults of this early building remain to the present day. Among those involved in the early operations of the Mint were Agoston Haraszthy, later to be known as "the father of the modern California wine industry", Bret Harte, and J. Ross Browne, author and confidential agent. The building served in a dual capacity, as mint and subtreasury, until 1874. It also served as an unofficial reserve bank, most notably in 1868 when a secret transfer of gold was made to stem a "run" on Ralston"s Bank of California. After removal of the Mint to a new site at Fifth and Mission Streets in 1874, the present building was erected in 1875 on the basement and storage vaults of the old, and housed the United States Subtreasury until 1915. The building and its storage vaults were the place of deposit for millions in coined and bar gold and silver, and the site of Federal financial authority in the west, for over half a century."

After describing the architectural features of the building, Mr. Mead advised the Commission that the building is presently in the process of sale and that a representative of the Bank of Canton was present in the audience. He stated that the Landmarks Preservation Advisory Board had first considered the proposal to designate the building as a Landmark in August, 1969. At the end of October, the people then owning the building were contacted and notified of the fact that designation of the building was under consideration; and they were given an opportunity at that time and again on November 19, 1969, to appear before the Landmarks Preservation Advisory Board to discuss the proposal. On November 19, the owners had requested that action on the proposed designation be deferred since they were contemplating the sale of the property; and the Landmarks Preservation Advisory Board had granted a delay until the first of the year. At that time, the owners had again requested a delay of six additional months; but that request had been turned down by the Landmarks Preservation Advisory Board. In Febuary, the Board had taken action to approve designation of the building as a Landmark. Mr. Mead noted that the property had subsequently been sold to the Bank of Canton, owner of adjacent parcels of property; and that firm had been notified of the present hearing. If the building were to be designated as a Landmark, the City Planning Code would allow transfer of all of the unused floor area ratio rights of the property to the adjacent lots which are under the ownership of the Bank of Canton.

Henry Todd, a member of the Executive Committee of the Bank of Canton, stated that his firm had tried to purchase the subject property for a number of years; however, the previous owners of the property had not decided to offer the property for sale until February, 1970. When the Bank of Canton had agreed to purchase the property, it had not been aware that designation of the building as a Landmark was under consideration. While the Bank of Canton is in need of additional space, no decision had yet been reached with regard to future use of the subject property; and that decision would probably be deferred until the new Chairman of the Board of Directors of the Bank assumes office. In any case, he believed that the Bank of Canton would be willing to conform to the wishes of the Commission regarding the building presently under consideration.

Commissioner Ritchie advised Mr. Todd that the Landmarks Preservation Advisory Board would have only limited control if the building were to be designated as a Landmark. The facade of the building would be the major control point; and it would have to be maintained in its historical appearance as long as the building stands. If a permit application were to be filed for demolition of the building, the application could be held by the City for a maximum of one year before it would have to be released.

Mr. Murphy distributed copies of a draft resolution which he had prepared to approve designation of the subject building as a Landmark. After the draft resolution had been read by the Secretary, Mr. Murphy recommended its adoption.

Commissioner Fleishhacker remarked that the facade of the subject building is not particularly distinguished; and, since most of the distinguishing features of the building are located in the interior and not accessible to members of the public, he regarded the value of the building as a Landmark to be somewhat marginal. Nevertheless, he agreed that it would be desirable if the owners of the building would be willing to improve the appearance of the building and to provide better access to the interior for members of the public.

Commissioner Ritchie remarked that the City's Landmarks legislation does encourage the restoration of facades of buildings which have been designated as Landmarks; and he hoped that the Bank of Canton would be willing to improve the appearance of the subject building.

Mr. Todd stated that any decisions regarding treatment of the subject building would be within the purview of the new Chairman of the Board of the Bank of Canton. Under the circumstances, he felt that it would be desirable if the Commission could delay action on the proposal until the new Board Chairman arrives from Honolulu.

Commissioner Ritchie noted that the only effect of the proposed designation would be to require the owners of the building to maintain the facade of the building in good repair; and, since the Landmarks Preservation Advisory Board had already granted one delay because of the pending sale of the building, he felt that the Commission should proceed to act on the proposal during the course of the present meeting.

Mrs. Peter Platt, representing the Landmarks Preservation Advisory Board, emphasized that the owners of buildings designated as Landmarks cannot be forced to improve the facades of their buildings. Landmarks legislation provides only that the owners cannot violate the design of the facade of the building or allow the facade to deteriorate.

Commissioner Miller felt that it was clear that the Commission had merely been encouraging the Bank of Canton to improve the facade of the subject building and that the Commission had not meant to imply that restoration of the facade would be mandatory.

Commissioner Fleishhacker stated that he was sympathetic to Mr. Todd's request for the delay; however, he did not believe that the delay would really serve any purpose. If the building were to be designated as a Landmark, he believed that it could be made more attractive; and he felt that the building could be an asset to the Bank of Canton in terms of public relations since it is one of the oldest bank buildings in the city.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 6515 be adopted and that the subject building be designated as a Landmark.

R70.21 Mini-park program, acquisition of Lots 1 and 11, Block 7160, Sears and Lessing Streets

Samuel Jung, Planner IV, reported on this matter as follows:

"Sears and Lessing Streets are located in a single-family neighborhood between Mission Street and San Jose Avenue near the County Line. Sears and Lessing could have formed one continuous street but by an accident of subdivision they are offset by a short distance, and Lots 1 and 11 are located where the two streets dead end. Together the two vacant lots have an area of approximately 6,000 square feet.

"This site is one of 13 for which San Francisco has received a $250,000 federal open space grant from the Department of Housing and Urban Development, for which the City has provided matching funds. The site is desirable because of the isolating effect that the trafficways pattern has had on the neighborhood.

"The lots are zoned R-1."

Commissioner Fleishhacker asked if the Recreation and Park Department had agreed to maintain the proposed mini-park. Mr. Jung replied in the affirmative.

Mr. Murphy recommended that acquisition of the property be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Miller, seconded by Commissioner Fleishhacker, and carried unanimously that the Assistant Director be authorized to report that the acquisition of Lots 1 and 11, Block 7160 for the mini-park program is in conformity with the Master Plan.

The meeting was adjourned at 3:10 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, April 16, 1970.

The City Planning Commission met pursuant to notice on Thursday, April 16, 1970, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: James S. Kearney, President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation; Dean L. Macris, Assistant Director - Plans and Programs; Peter Svirsky, Planner IV (Zoning); Peter Groat, Planner IV - Urban Systems Analyst; James Paul, Planner III - Housing Specialist; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Bill Workman represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter and carried unanimously that the minutes of the meeting of November 13, 1969, be approved as submitted and that the minutes of the meeting of March 12, 1970 be approved with amendments.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, advised the Commission that the Department of City Planning's proposed budget for the next fiscal year will be reviewed by the Finance Committee of the Board of Supervisors next Wednesday evening, April 22, at 8:00 p.m.

The Director informed the Commission that the Planning and Development Committee of the Board of Supervisors will meet next Tuesday afternoon to consider height limits proposed for Ocean Beach and for the area south of the Ferry Building.

The Director advised the Commission that the Board of Supervisors, meeting on Monday, April 13, 1970, had enacted nearly all of the zoning amendments which had been proposed by the City Planning Commission for the Northern Waterfront Plan area. He indicated, however, that the Board had made two requests of the Commission. The first request was that additional consideration be given to the effect of the northeastern Embarcadero variable special height districts on certain properties bounded by the Embarcadero, Sansome, Lombard, and Greenwich

Streets and, in another instance, by Front, Union, Battery, and Commerce Streets. The second request was for consideration of possible text amendments to Section 120.4 of the City Planning Code to restrict more effectively the exceptions permitted in the northeastern Embarcadero variable special height districts. In view of the requests which had been made by the Board of Supervisors, the Director had prepared a draft resolution for consideration by the Commission which would indicate the Commission's intention of holding public hearings on possible amendments to the Zoning Map and to Section 120.4 of the text of the City Planning Code and which would authorize the Zoning Administrator to set a time and place for the hearings. He recommended adoption of the draft resolution.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritehie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6516.

The Director reported that the sign ordinance for Market Street which had been recommended by the City Planning Commission had been passed unanimously by the Board of Supervisors. He indicated, however, that Supervisor Mailliard and other members of the Board had expressed concern as to one point. The point raised related to the possibility that some billboards on Market Street, especially those on rooftops, might remain beyond the 1973 deadline if they were changed to designate a business on the property and if they continued to be repasted as billboards. The staff of the Department of City Planning had indicated to the Board that such circumstances seem to be a remote possibility; however, the Board had requested that the City Planning Commission consider an amendment to the City Planning Code which would prohibit retention of signs on rooftops and other nonconforming signs through changes from general advertising to another type of sign. Therefore, the Director had prepared a draft resolution for consideration by the Commission which would declare the Commission's intention of holding public hearings to consider amendments to the City Planning Code which would control this situation in all parts of the City with special consideration being given to the problem of Market Street. The resoludtion would also authorize the Zoning Administrator to set a date and place for the hearing.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6517.

The Director advised the Commission that the staff of the Department of City Planning was proposing another amendment to the sign ordinance which would restrict or prohibit the placement of signs high on building walls throughout the City. He remarked that signs high on the skyline have been a matter of concern for a long time in San Francisco; and he noted that public concern is increasing as new buildings are erected which provide a possibility for the installation of signs similar to that which has been installed just below the roofline of the Mutual Benefit Life Building. He distributed copies of a draft resolution which he had prepared which would declare the Commission's intention of holding a public hearing to consider amendments to the City Planning Code to

restrict or prohibit placement of signs high on building walls in San Francisco. The resolution would also authorize the Zoning Administrator to set a time and place for the hearing. The Director recommended adoption of the draft resolution.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6518.

DISCRETIONARY REVIEW OF EMBARCADERO CENTER HOTEL

Allan B. Jacobs, Director of Planning, reported on this matter as follows:

"A building permit application has been filed for the Embarcadero Center Hotel.

"This application must be reviewed by the Commission under its 1967 resolution applying to new buildings on Market Street. That resolution states that building projects will be reviewed especially in terms of the relationship to the street, heights, cornice lines, setbacks and the placement and shaping of building towers, in order to promote the attractiveness, continuity and integrity of the street and its functions.

"The hotel will be in the southern part of the new block bounded by Clay, Drumm, California and Market Streets and the Embarcadero Plaza, with the former Sacramento Street closed. To the north in the same block will be a theatre and the 60-story second office tower.

"All the stated provisions of the Planning Code are met. The building will have just under 700,000 square feet of gross floor area, with 840 hotel rooms, convention facilities and parking for 233 cars in one basement level.

"The height is 20 stories, rising to 197 feet at the top of the main roof. A rooftop restaurant, with a revolving seating area set inside a stationary exterior frame, will rise to 245 feet above the street. For comparison, the tower of the Southern Pacific building across Market Street is 213 feet in height, and the Ferry Building tower is 235 feet high. The exterior finish of the building will be concrete.

"At ground level, the building will be set back 15 feet from the Market Street property line, and the additional sidewalk space will be paved and otherwise treated in a way that will be consistent with the Market Street improvements.

"Driveways for the garage and a substantial passenger loading area are on the Drumm Street frontage. Truck loading will initially be

ramped down in the former Sacramento Street area, but when the theatre and office tower are added in this block all service will be through a tunnel serving all three buildings.

"Over a period of some months the plans for this building have been reviewed and commented upon by a design committee for Embarcadero Center which includes the Director of Planning. This committee and the Agency staff have recommended certain improvements in the plans. One such improvement, considered of pressing importance, has not yet been made. This concerns the use of the ground level space along Market Street, where there is a strong public interest in pedestrian-oriented space such as retail shops. Retail space would seem to be economically feasible. However, the developers have thus far shown meeting rooms along this frontage, and have indicated that their preferred use of the space has not been settled.

"The Agency staff shares our view that both the redevelopment project and the new Market Street would be better served by pedestrian-oriented space along this frontage. Accordingly, while I am recommending approval of the building permit application by the Commission, the resolution of approval before you suggests the inclusion of a statement urging the Agency to pursue its efforts in this regard."

During the course of the Director's presentation, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Fleishhacker noted that the draft resolution contained a "strong recommendation" that the San Francisco Redevelopment Agency pursue its efforts to assure the provision of substantial pedestrian-oriented retail space facing Market Street in this building; and he remarked that the wording of the recommendation did not seem to contain much "muscle". The Director agreed; however, he indicated that he had received assurances from the Redevelopment Agency that they would pursue the provision of substantial pedestrian-oriented retail space facing Market Street as a "must".

William Rosso, representing the Redevelopment Agency, confirmed that the agency would require that the ground floor of the building along Market Street be developed with pedestrian-oriented uses.

Commissioner Ritchie remarked that the original model which had been prepared for the hotel had indicated a flat roof for the restaurant at the top of the building; and he wondered about the nature of the cylindrical structures which had been added to the roof in the drawing presently before the Commission for review. Peter Svirsky, Planner IV - Zoning, stated that the cylindrical structures would house mechanical equipment for the building; and he indicated that the cylindrical structures would not be visible from the ground.

Commissioner Ritchie pointed out that the cylindrical structures would be visible from many vantage points in the City; and he felt that the top of the building should be designed to be pleasing to the average eye.

A representative of the architect of the proposed building remarked that the cylinders would be more appealing to the eye than undisguised mechanical equipment.

The Director advised the Commission that the original plans for the hotel had indicated the rooftop restaurant as a circular structure which would revolve; and that particular element of the design had not been regarded favorably by the design committee. As a result, the plans had been changed to enclose the rotating restaurant in square structures so that its revolutions would not be apparent from other vantage points. He agreed that the circular screens which had been proposed to conceal the mechanical equipment would be a singular design element; however, he advised the Commission that the staff of the Department of City Planning did not regard that particular design element negatively.

Mr. Rosso stated that the Redevelopment Agency had found the design of the rooftop structures to be acceptable.

Commissioner Fleishhacker stated that he hoped that the completed building would resemble the preliminary sketches more closely than the office building which is presently under construction in the Embarcadero Center.

After further discussion, it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6519 be adopted approving building permit application No. 381850 but with a strong recommendation that the San Francisco Redevelopment Agency pursue its efforts to assure the provision of substantial pedestrian-oriented retail space facing Market Street.

CURRENT MATTERS (Cont'd)

Allan B. Jacobs, Director of Planning, made the following statement regarding plans which had been received proposing alterations in the design of the Transamerica Building:

> "The Transamerica Corporation has submitted an application for an alteration permit to revise the plans for its office building in certain respects, and the Department has completed its review of the new plans.
>
> "It has been found that these plans are within the scope of the approvals given by the Commission in its discretionary review of the building last June and again in November, and also within the

scope of the conditional use approvals given the parking garage in the building. Accordingly, we intend to approve the alteration permit application without further action by the Commission.

"Under the revised plans, the building retains its former shape and height. The gross floor area is reduced by some 60,000 square feet. Internal changes have been made in the underground garage and ramping system. The first three floors above ground have less enclosed space, and therefore the open plaza area under the building is increased. The elevator placement and framing system have also been changed, giving the exterior a somewhat altered appearance. Bronze glass is now specified, giving the building a darker appearance than clear glass would have produced. None of these changes can be considered major, however, in the light of the Commission's earlier actions."

At the conclusion of his report, the Director stated that he intended to approve the revised plans without requesting further action by the City Planning Commission.

After discussion, it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to proceed with approval of the plans. Commissioner Fleishhacker stated that he did not wish to have his vote construed to suggest that he approved of any part of the proposed building.

After an informal discussion of the general problem of finding suitable locations for automobile wrecking yards in San Francisco, the Commission agreed that future applications for such uses should be presented to the Plan Implementation Committee of the Commission before being brought before the full Commission for public hearing.

PRESENTATION OF 1969 HOUSING INVENTORY REPORT

Peter Groat, Planner IV - Urban Systems Analyst, presented and summarized the report which is available in the files of the Department of City Planning. The summary contained in the report reads as follows:

"1. In 1969, the end of the decade, the City experienced the smallest annual net addition to the housing stock in ten years. Although 1,365 units of new construction were completed, their effect was diminished by 898 removals. The consequent net gain was only 467 units.

2. Of the 898 units removed from stock, public actions accounted for 580. Although demolitions have increased over the previous year, the share of the units demolished by public action declined from about 70 percent in 1968 to 63 percent in 1969.

[illegible]

3. During 1969, the City of San Francisco suffered a net loss of 15 units of single-family housing, 118 of two-, and 123 units of three-family housing. The net gain for the City was made in the 4-or-more-unit categories, the largest being in the 20-or-more unit structure with 575 units.

4. Although public action was responsible for a large share of demolition in the year, it also was the major contributor to the completion of housing units in 1969. Of the 1,365 units indicated completed, units in Diamond Heights and Western Addition projects accounted for 793 units, or more than half of the year's production. Some 493 units were in the moderate-income category.

5. The production of single-family housing in San Francisco amounted to 69 units in 1969, including those constructed in redevelopment project areas. By comparison, 6,812 single-family units were constructed in Santa Clara County, and 502 in Napa County, whose overall volume trailed San Francisco. A decreasing supply of available land, increasing construction costs, and the consequent trend toward higher density indicate the opportunity for new single-family housing in the City may have reached its effective limit.

6. A vacancy survey conducted for the Department of City Planning and corroborated by a postal vacancy survey made at about the same time confirmed a 2.3 percent vacancy rate in the multi-family units, and that significant blocks of vacant available units were not to be had for less than $100 per month rental. The survey further confirmed the difficulties of finding a place to live in San Francisco for those with families and/or special requirements.

7. Prospects for the construction of new housing in San Francisco continued unpromising throughout 1969. The attempts to find local solutions to the housing problem continued to be frustrated by factors largely beyond local control.

Following the presentation, Mr. Groat responded to questions raised by members of the Commission.

The meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, April 23, 1970.

The City Planning Commission met pursuant to notice on Thursday, April 23, 1970, at 1:00 p.m. at 100 Larkin Street

PRESENT: James S. Kearney, President; James J. Finn, Mortimer Fleishhacker, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President; and Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Robert Passmore, Assistant Zoning Administrator; Joseph Fitzpatrick, Planner III; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Scott Blakey represented the San Francisco Chronicle.

1:00 P.M. Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing on May 7.

3:00 P.M. - 100 Larkin Street

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of March 26, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, informed the Commission that a Community Conference has been scheduled in the Haight-Ashbury District on Saturday, April 25. The conference will take place at the Polytechnic High School, 701 Frederick Street, from 9:00 a.m. to 4:00 p.m.

The Director reported that he had been named head of the Technical Advisory Committee to the Board of Control which will administer the Joint Venture Powers Agreement between San Francisco, San Mateo County and BART on the rapid transit to the airport project.

The Director advised the Commission that the staff of the Department of City Planning has completed a draft of an Improvement Plan for Residence which

is currently being reviewed with other agencies. After modifications are made in the draft, it will be presented to the City-wide Comprehensive Plans Committee of the Commission and to Mayor Alioto. Subsequently, in approximately one month, the report will be presented for public review.

The Director reported that the Planning and Development Committee of the Board of Supervisors, meeting on Tuesday, had deferred action on the height limits proposed for the area south of the Ferry Building and for Ocean Beach.

Acting on the recommendation of the Director, the Commission voted unanimously to cancel its Regular Meeting on Thursday, April 30, 1970.

The Director advised the Commission that he intends to purchase a house in the Diamond Heights Redevelopment project area if the cost of the house when completed is at a reasonable level.

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

DISCRETIONARY REVIEW OF BUILDING APPLICATION NO. 380256, HARNEY WAY AND QUEBEC AVENUE
Proposed trucking equipment yard in area affected by South Bayshore Plan.
(Under Advisement from Meeting of March 19, 1970).

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"On March 19, 1970, the Planning Commission reviewed under its discretionary review powers a building permit for an industrial building on M-1 zoned land in an area proposed for non-industrial use under the recently adopted Master Plan Amendment for the South Bayshore Area (attached is the memorandum to the Commission dated March 19 describing the project). On March 19 the Commission took the proposal under advisement to allow staff to meet with the developer Mr. Chet Smith and determine if approval of a temporary industrial use of the land would be appropriate.

"On March 31, Mr. Steele and Mr. Passmore met with Mr. Smith, his attorney, Mr. Edward Molkenbuhr, Jr. and others interested in the development of the site. The immediate industrial use of the site discussed was for storage and repair facilities for contractor's equipment used in connection with construction of the Hunter's Point Redevelopment Project. Staff explained Building Code provisions for a temporary building permit which could be issued for up to a five year period, and special zoning restrictions which could be recorded in the City Recorder's office by the applicant at request of the Planning Commission stipulating an expiration date for any industrial use of a building on the subject property. Mr. Smith expressed need to have a minimum of ten years to

amortize his proposed structural additions to subject property. Although staff believed the use of a temporary building permit might be an acceptable solution, the time period requested by Mr. Smith cannot be accomplished by that administrative procedure."

Mr. Passmore stated that the permit application had been reviewed by the Bayview-Hunters Point Model Cities Agency; and that agency had requested the City Planning Commission to deny the application. He also indicated that Harold Brooks, a member of that agency, was currently on route to the Commission meeting.

The Director offered his recommendation on the matter as follows:

"Realization of the Master Plan recommendations for non-industrial use of much of area in the vicinity of the subject parcel is expected within ten years. An industrial use of the subject parcel during that entire 10-year time period would not be compatible with the residential and recreation development expected and desired. The industrial use of the property for any length of time will obviously prevent appropriate and desirable development of the water frontage of the subject block, and could deter other nearby properties from early development in conformity with the Master Plan.

"Changing the zoning classification of the subject property to conform with the Master Plan would make the proposed use non-conforming and subject to eventual termination. However, although a completely open non-conforming use has an amortization period of only five years, a non-conforming use involving an enclosed building as proposed in the subject application would have an amortization period of 20 years under applicable provisions of the Planning Code. If the applicant agreed a shorter amortization period could be achieved through the recording of special restrictions in connection with the approval of a building permit application; however the shorter time period acceptable to the applicant in this case would still not be compatible with the objectives of Master Plan. For these reasons I recommend disapproval of the proposed building permit application."

Commissioner Porter suggested that the Commission should move with all possible speed to rezone properties in the South Bayshore area in conformance with the proposals contained in the South Bayshore Plan. Until that time, owners of property in the area who may not know of the South Bayshore Plan will rely on existing zoning; and, if they are later advised by the Department of City Planning that certain uses will not be permitted in spite of the zoning, they might have valid reasons for resentment. The Director replied that the Department of City Planning had agreed not to proceed with rezoning of properties located in the vicinity of Candlestick Cove for approximately six or nine months; however, steps were being taken towards zone changes in other portions of the South Bayshore Study area.

Mr. Passmore advised the Commission that the Bayview-Hunters Point Model Neighborhood Agency had just filed an application requesting reclassification of the properties located east of Candlestick Park from M-2 to R-1.

Charles Walter, a trucking contractor, stated that the subject site would be used to park equipment being used for a training program; and, if the application were not to be approved, the equipment would have to be parked in front of people's homes on Hudson Street. He stated that the owner of the subject property had agreed to let the property be used for storage of the equipment; and he indicated that the temporary building which was being proposed could be taken down in one day.

Edward Molkenbuhr, Jr., attorney for the applicant, noted that the project requiring use of the subject site is scheduled to commence next Monday; and, under the circumstances, he felt that the temporary five-year permit originally recommended by the staff of the Department of City Planning would be acceptable to his client. Although such a short-term permit would not allow for amortization of improvements which would have to be made on the site, he felt that the urgency of the situation dictated that the five-year permit would have to be acceptable.

The Director stated that he would be willing to recommend approval of the permit on a temporary basis for five years.

Commissioner Fleishhacker, noting that the applicant was obviously desirous of extending the use beyond a five-year period, questioned whether the Commission would in fact have the power to require discontinuence of the use at the end of the five-year period. Mr. Passmore replied that temporary permits automatically expire at the end of five years; and, in addition, all of the city's land use records would be amended to show that the permit had been approved for a maximum period of five years.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the subject building permit application be approved on a temporary basis for a maximum of five years.

R70.19 Laguna Street between Bay and Beach Streets; change in sidewalk widths from 15 feet to 10 feet.

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"Laguna Street carries a heavy traffic load in the two blocks between Bay Street and Beach Street (Marina Boulevard) in the Golden Gate corridor. It is 68'9" wide, with two 15' sidewalks, and the 38'9" roadway has four narrow traffic lanes by virtue of having towaway on both sides. The Department of Public Works proposes to narrow both sidewalks from 15 feet to 10 feet.

"The Department of Public Works' plan would prohibit all parking on the east (Fort Mason) side of the street but would provide a narrow parking lane on the west side adjacent to new apartments under construction and the Safeway store. The curb lanes would be 14 feet wide at the Bay Street and Marina Boulevard corners to facilitate turns, and would taper down to 11 feet. In this instance it would seem that rather than to widen the street to accommodate parking, it would be better to use the extra width for the moving traffic lanes on this heavily traveled street.

"This section of Laguna Street is to be undergrounded."

The Director recommended that the change in sidewalk widths be approved as in conformity with the Master Plan. He further recommended that parking be prohibited on the west as well as the east side of Laguna Street after the street widening and that the City plant street trees as a part of the project.

Commissioner Fleishhacker remarked that a portion of the adjacent Fort Mason property might be helpful in the street widening project. Richard Evans, representing the Traffic Engineering Bureau of the Department of Public Works, replied that inquiries had been made in the past relative to using portions of Fort Mason for street widening projects; but the response of the Federal Government had been negative.

Commissioner Porter, noting that a new apartment building is being constructed in the subject neighborhood, asked the Director why he was recommending that neither side of Laguna Street should be used for parking. The Director replied that the purpose of the street widening project would be to improve the flow of traffic; and he felt that use of the street area for parking would not achieve that objective.

Mr. Evans remarked that traffic flow is a problem primarily during the morning and evening rush hours; and he suggested that it would be possible to prohibit parking during those hours if parking were to be allowed at other times.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the change in sidewalk widths on Laguna Street from 15 feet to 10 feet, between Bay Street and Beach Street, is in conformity with the Master Plan. The Commission further recommended that parking be prohibited on the west as well as the east side of Laguna Street after the street widening and that the City plant street trees as a part of the project.

R70.27 Turnkey housing project for the elderly, northeast corner of California and Scott Streets.

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"The subject site which is vacant and zoned R-4, is in an area characterized by a mixture of low and medium density dwellings. The southwest corner of California and Scott Streets is occupied by Emerson School. The northwest corner of California and Pierce Streets is occupied by a 44 unit, six floor high apartment building. Adjacent to the north of the subject site is a 12 unit dwelling; adjacent to the east is a six unit dwelling. California Street is relatively flat in this area; Scott Street slopes up to the north to Alto Plaza Park two blocks north of the subject site. Convenience shopping exists in C-2 zoned areas one block east and west of the subject site. Public transportation is close by on Sacramento and Divisadero Streets.

"The subject site has frontages of 81.25 feet on California Street and 100 feet on Scott Street, and an area of 8125 square feet.

"The proposed 40 unit dwelling would front on California and would consist of four floors of residential occupancy over the entrance lobby and enclosed lobby and enclosed eight car parking garage. A landscaped twenty five foot deep rear yard would extend along the north property line and a recreation deck would be provided on a portion of the fourth floor level. A social room would be provided on the first floor. The proposed plans indicate 31 studio units, 8 one-bedroom units and one two-bedroom unit.

"The proposed density is one dwelling unit less than permitted on the subject lot; the building coverage and rear yard are as allowed by the Planning Code. The floor area ratio would be 3.5 to 1, thus less than the permitted 4.8 to 1 in an R-4 district. A variance to require only 8 off-street parking spaces rather than the otherwise Planning Code required 20 off-street parking spaces for 40 units of elderly housing was approved on March 17, 1970 for the subject site by the Zoning Administrator, conditioned upon approval and development of the site solely for low-income elderly persons."

The Director recommended that the project be approved as in conformity with the Master Plan.

Commissioner Fleishhacker remarked that the eight parking spaces which were being proposed seemed to be a small number of parking spaces for the 40 dwelling units to be located in the building. Mr. Passmore replied that information which had been obtained from the Housing Authority had indicated that only 10% of the tenants of housing for the elderly have automobiles.

Commissioner Fleishhacker asked what would happen if the building should be converted to another use in the future. Mr. Passmore replied that additional parking spaces would be provided in that case; however, because of the demand for public housing for the elderly at the present time, he doubted that the use of the building would be changed in the foreseeable future.

After further discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the development of the subject site with 40 dwelling units for low-income elderly persons under the Turnkey housing program is in conformity with the Master Plan.

R70.28 Turnkey housing for ramilies on south side of Rivera Street between 48th Avenue and Great Highway, Lots 1, 2, and 3 in Assessor's Block 2301.

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"The subject site, which is vacant and zoned R-3, is in an area characterized by low density low rise dwellings. The subject block is part of a corridor of blocks west of 48th Avenue and fronting on the Great Highway zoned R-3. The former occupancy of the site was Roberts at the Beach. Properties on the east side of 48th Avenue are two-floor-high, single-family dwellings. A series of recently constructed two-family dwellings are on 48th Avenue in the block north of the subject site. Adjacent to the south of the subject site is a four-unit dwelling. The closest shopping areas are on Taraval Street two blocks south of the subject site and on Noriega Street four blocks north of the subject site. The West Sunset Playground, and public/private schools are located in the vicinity of Pacheco Street and 40th Avenue. Public transportation runs along 45th Avenue and Taraval Street.

"The subject site has frontages of 45 feet on Rivera Street, 435.75 feet on 48th Avenue and 438.68 feet on Great Highway. The lot area is approximately 13,726 square feet.

"The proposed 16 dwelling units would be arranged with the appearance of 16 townhouses, 16, 20 and 28 feet wide and two floors high along 48th Avenue. Separate from the dwellings, five off-street parking spaces would front on Rivera Street and eleven spaces accessible from 48th Avenue and Great Highway would be placed approximately at the mid-point of the subject site. Six of the dwelling units would contain two bedrooms; the remainder would contain three bedrooms, and each of the units would contain a kitchen, living and dining area and laundry area on the ground floor with the bedrooms and bath on the upper floor. Each of the units would have immediate access to a small private ground level patio or yard area.

"The proposed density is one or two dwelling units less than that permitted for the R-3 zoned subject site. All open space, building bulk and parking requirements of the Planning Code applicable to the subject site are met by the proposed plans.

"The Housing Authority hopes the proposed townhouse concept for the subject site will permit an eventual degree of private ownership of the individual dwelling units by the occupants."

Commissioner Finn asked if the entrances to the townhouses would be located on the Great Highway or on 48th Avenue. Mr. Passmore replied that the entrances would be alternated between the Great Highway and 48th Avenue.

The Secretary stated that he had received a telephone call from Mrs. Thomas R. Best of the Great Highway Club objecting to the proposal.

Mrs. Best felt that the proposed project would be detrimental to the single-family neighborhood in which it would be located; and she was of the opinion that public housing should not be located on San Francisco's 49-mile scenic drive.

Commissioner Fleishhacker remarked that the design of the proposed project was one of the most interesting which had been reviewed by Commission.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that development of the subject site with 16 dwelling units for low-income families under the Turnkey housing program is in conformity with the Master Plan. It was further recommended that the Housing Authority and the architects be requested to work with the staff of the Department of City Planning to develop final building plans consistent with the row house concept of the preliminary plans which had been submitted but which would provide a better arrangement for off-street parking than those preliminary plans related to appearance and protection from the climate of this area of the City.

R70.29 Turnkey housing project for the elderly; Noe Street, east line, south of Market Street.

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"The subject site, which is an interior through lot having frontages on Noe Street and Pond Street and partially zoned R-4 and partially zoned R-2, is in an area characterized by low and medium density low-rise dwellings.

"The subject through lot, which is currently occupied by a non-conforming roofing contractractor having a 1980 expiration date, is an exception to the general lot pattern in the subject block of a common rear lot line running midway between Noe Street and Pond Street. Pond Street is a narrow 31.25-foot wide street. A branch library is at the southwest corner of Pond and 16th Streets, a district health center is at the northeast corner of Pond and 17th Streets. Neighborhood Shopping occupies Castro Street one block west of the subject site. Public transportation runs along Market, Castro, and 18th Streets in this vicinity. Five public housing developments for the elderly in this general vicinity either exist or have been authorized at 15th Street near Valencia Street, at 18th Street near Church Street and in the vicinity of Duboce and Sanchez Streets.

"The subject site, which is relatively flat, has frontages of 46.75 feet on Noe Street and 45 feet on Pond Street, and is 180 feet deep. The lot area is 8267.5 square feet.

"The proposed dwelling would front on Noe Street and would consist of three floors of residential occupancy including the ground floor. There would be 19 studio units and three one-bedroom units. Four off-street parking spaces would be provided in an open space along the Pond Street frontage of the site.

"Except for off-street parking the proposal meets the requirements of the City Planning Code applicable to the site. Under the Code 11 off-street parking spaces would be required for the proposed 22 elderly housing units; no application for a parking variance has been filed."

Mr. Passmore recommended that the project be approved as in conformity with the Master Plan subject to a decision by the Zoning Administrator regarding the amount of off-street parking to be provided on the site. He also suggested that final plans for the project should be modified to recognize the prevailing rear yard pattern in the subject block and the existing dwelling frontage along Pond Street.

Sam Yuen stated he and other representatives of the Chinese Community were present in support of the proposed project; and they hoped that similar facilities would be provided in Chinatown.

Alan Wofsy, the applicant, remarked that there are several buildings fronting on Noe Street which extend through to Pond Street or which have parking spaces on the rear portion of their sites. The subject property is presently developed in such a way; and the proposed project would have the effect of "opening up" the site to a certain extent. Mr. Wofsy noted that two public buildings are located in the area which have parking lots on or adjacent to Pond Street; and he noted that the City Planning Code does not express a preference for location of parking on double-frontage lots. In conclusion, he remarked that the subject site is particularly well-located for housing for the elderly insofar as a church which is located at 17th and Noe Streets has a very active program for elderly people.

Commissioner Ritchie asked if it would be possible for the Commission to require the planting of street trees in front of all of the Turnkey housing projects under consideration. Mr. Passmore replied that the staff of the Department of Ctiy Planning would make every effort possible to achieve that objective.

Mr. Heynneman, representing the Housing Authority, stated that street trees would be required for the subject project.

Commissioner Porter asked if the building would contain an elevator. Mr. Passmore replied in the affirmative.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the development of the subject lot with 22 dwelling units for low-income elderly persons under the Turnkey housing program is in conformity with the Master Plan. It was further recommended that the final plans for the project be modified to recognize the prevailing rear yard pattern in the subject block and the existing dwelling frontage along Pond Street.

R70.30 Turnkey housing project for families, southwest corner of Noriega Street and 48th Avenue.

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"The subject site, currently occupied by a vacant non-conforming automobile service station and zoned R-3, is in a residential neighborhood characterized by single-family dwellings except for a number of four- to six-unit apartment houses along Noriega Street. Adjacent to the subject site to the west and south are single-family dwellings. Neighborhood shopping occupies the C-2 district along Noriega Street approximately one block east of the subject site. The west Sunset Playground and private and public schools are in the vicinity of Pacheco Street and 40th Avenue. Public transportation runs along Noriega Street and 45th Avenue in the subject vicinity.

"The subject site, which is relatively flat, has frontage of 60 feet on Noriega Street and 100 feet on 48th Avenue for a lot area of 6,000 square feet.

"The proposed dwelling would consist of three two-bedroom units, three three-bedroom units and two four-bedroom units located on three floors of occupancy over an entrance lobby and enclosed parking areas for eight cars. A landscaped rear yard would be along the southern lot line and an interior court at ground level would provide additional usable outdoor open space for a total of 2326 square feet of usable open space for the tenants of the building. Tenants would also be provided a community social room on the ground level.

"The proposed plans comply with all applicable provisions of the City Planning Code."

Commissioner Ritchie asked if the proposed project would conform to the 40-foot height limit recently recommended by the City Planning Commission. Mr. Passmore replied in the affirmative, noting that while the top of the roof would actually exceed a height of 40 feet, the City Planning Code permits the legal height of a building to be measured from the center of a sloping roof.

Commissioner Ritchie remarked that it was conceivable to him that a building could be designed with a sloping roof which could greatly exceed the 40-foot height limit if the legal height were to be measured from the center point of the slope. Mr. Passmore stated that any building which would obviously be outside of the intent of the City Planning Code could be disapproved by the Commission under its discretionary authority.

Ed Conroy, 1648 Great Highway, stated that the applicant had met with residents of the subject neighborhood to discuss the proposed project; and the people who had attended that meeting had been impressed with the gable since it would relieve the monotony of the flat-roofed buildings presently existing in the neighborhood. He felt that the City must move towards the construction of smaller housing projects such as the one under consideration instead of the large projects which have been developed in the past; however, he wondered if there is a plan to control the dispersal of such projects throughout the City.

The Director stated that scattered site housing projects are presently being considered on an ad hoc basis; however, the staff of the Department of City Planning is working closely with the Housing Authority to select suitable sites. In addition, the staff of the Department of City Planning is preparing an Improvement Plan for Housing which will establish normative standards for the dispersal of public housing units. He indicated that a report on the Improvement Plan for Housing will be made public at an early date.

John McAuliffe, 1347 41st Avenue, supported the concept of scattered sites for public housing and indicated that the size of the project presently under consideration seems to him to be about right.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the Director be authorized to report that the development of the subject lot with 8 dwelling units for low-income families under the Turnkey housing program is in conformity with the Master Plan.

R70.31 Turnkey housing project for families, northwest corner of Randolph and Head Streets.

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"The R-3 zoned subject site, consists of five Assessor's Lots and vacant except for one single-family dwelling, is in an area characterized by low- and medium-density dwellings. Adjacent to the north of the subject site is a single family dwelling zoned R-1, and adjacent to the west is a church. Randolph Street serves as the only multiple-family and commercial district in this otherwise single-family Merced Heights residential area. Within the R-3 property on the north side of Randolph Street between Victoria and Head Streets are located a non-conforming

cleaning agency, the above described church, and the subject site. The balance of the block to the north (zoned R-1) is developed with single-family dwellings. The east side of Head Street is developed with single-family dwellings. The south side of Randolph Street opposite the subject site is developed with residential uses ranging from single-family dwellings to a six-family dwelling. The small C-1 district on Randolph Street west of the subject parcel is developed with stores. Public transportation runs along Randolph Street in this vicinity.

"The subject site, which slopes up to the north, has frontages of 125 feet along Randolph Street and 100 feet along Head Street, and a lot area of 12500 square feet.

"The subject dwelling would contain eight two-bedroom units, six three-bedroom units and two four-bedroom units on three floors of occupancy over ground level lobby and enclosed parking for 16 automobiles. Usable open space of 3200 square feet would be along the west and north property lines; a ground level detached community room would be adjacent to the open space.

"A conditional use 25-bed convalescent hospital was authorized for a portion of the subject site by the Planning Commission in 1967, but has never been constructed."

The Director recommended that the subject property be approved as in conformity with the Master Plan.

Commissioner Fleishhacker asked about the difference in rental cost in the proposed project which would be built with Federal subsidies as compared to probable cost in a similar building constructed without such subsidies. Alan Wofsy, the applicant, replied that the same unit would probably rent for at least twice as much on the open market if the building were constructed without Federal subsidies.

Commissioner Fleishhacker then inquired about the differences in construction cost between the small type of scattered housing project presently under consideration and the old institutional type of public housing project. Mr. Wofsy replied that construction cost for the smaller projects are considerably less than the larger projects since the smaller buildings can use wood-frame construction; however, heating and electrical costs for the smaller projects are greater on a unit basis.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that development of subject lot for 16 dwelling units for low-income families under the Turnkey housing program is in conformity with the Master Plan.

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,
Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, May 7, 1970.

The City Planning Commission met pursuant to notice on Thursday, May 7, 1970, at 1:30 p.m. at 100 Larkin Street.

PRESENT: James S. Kearney, President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Robert Passmore, Assistant Zoning Administrator; Peter Svirsky, Planner IV (Zoning); Daniel Sullivan, Planner III (Zoning); Patricia Peterson, Planner II (Zoning); and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Steve Zousmer represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker and carried unanimously that the minutes of the meetings of April 2, 9, 16 and 23, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that he had appeared before the Recreation and Park Commission on Thursday, April 30, to present the shoreline, recreation and open space elements of the South Bayshore Plan. Following discussion, the Recreation and Park Commission had adopted a resolution endorsing in general those elements of the plan.

The Director informed the Commission that the first meeting of the Board of Control for the San Francisco Airport Access Project had been held in the City Hall at Daly City on Friday morning, April 24. The City's officially appointed delegates and their alternates were present, and the project seemed to be getting off to a good start.

The Director reported that he and some of the members of the Commission had attended a meeting which had been sponsored by the Chamber of Commerce on Tuesday, May 5, where the Chamber's concern for provision of additional middle-income housing for the city was discussed. Commissioner Ritchie asked that a letter be sent expressing the Commission's appreciation to the Chamber of Commerce for sponsoring that meeting.

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 6520 be adopted expressing the Commission's sympathy to Supervisor and Mrs. Ronald Pelosi over the tragedy which recently befell their family. Commissioner Porter also requested that the Secretary contact individual members of the Commission to ask if they wish to contribute to the Children's Hospital "Little Jim Fund" in memory of the Pelosi children.

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

The Director noted that the Commission had taken an action in 1969 authorizing construction of the Presbyterian Medical Center Hospital and parking garage; however, at the same time, the Commission had prohibited further construction by the Presbyterian Medical Center until such time as a new Master Plan had been prepared and approved by the Planning Commission. The Master Plan was originally scheduled to be presented to the City Planning Commission in September, 1969; but the date of submission had later been extended to June 4, 1970. Another letter had been received recently from the Administrator of the Medical Center and the President of the Pacific Heights Neighborhood Council requesting further extension of the submission until November or December of this year in order to allow for the preparation of additional material needed to establish portions of the Master Plan. The Director recommended that a draft resolution which he had prepared be adopted to extend the time for submittal of the Master Plan to December 3, 1970.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6521 and that the date of submission of the Presbyterian Medical Center Master Plan be deferred until December 3, 1970.

R70.34 Vacation of a 91.67 foot portion of Merchant Street between Sansome and Montgomery Streets, exchange of property for Clay Street widening, and realignment of Clay Street widening.

Peter Svirsky, Planner IV (Zoning), reported on this matter as follows:

"This is the third vacation request concerning Merchant Street to come before the Commission.

"The first, covering the first 183.33 feet east of Montgomery Street, was considered last June. The second, covering the next 21.67 feet to complete the Transamerica building site, was considered in November. Both of these were acted upon favorably by the Commission.

"The proposal now is to vacate an additional 70 feet of the street, up to the end of the Transamerica ownership. In the request from Public Works, the 21.67 feet already vacated has been included again, in their words "to eliminate any possible gap in the area to be vacated."

"Public Works is sponsoring the current request, and in addition they are proposing an exchange of property, with Merchant Street being exchanged for some additional widening of Clay Street by the City. The new Clay Street widening would move the offset in its alignment approximately 125 feet further to the east from the point where it was originally designed to fall. This would make it unnecessary for the City to condemn property and demolish buildings on the south side of Clay Street west of the widening already accomplished at the new Wells Fargo Annex.

"The effect is to place three items before the Commission as a single referral: the additional vacation of Merchant Street, the exchange of property for the Clay Street widening, and the realignment of Clay Street."

The Director recommended that the proposed street vacation be found in conformity with the Master Plan in accordance with the Commission's previous policy and that the proposed exchange of property and realignment of the Clay Street widening be approved as in conformity with the Master Plan, also.

Commissioner Fleishhacker asked if he were correct in understanding that the Commission had no authority to make recommendations concerning the economics of the proposed exchange of property. The Director replied in the affirmative, indicating that those arrangements would be handled by the Director of Property.

John D. Harmon, attorney for a citizen who had filed a court action requesting that the previous vacation of portions of Merchant Street and their sale to the Transamerica Corporation be declared null and void, felt that it would not be proper for the Commission to take an action which would result in further vacation of the street while his case is pending in the courts. Given recent public interest in the subject of ecology and the obvious need for preservation of valuable open space in the congested downtown area, he doubted that any proposed vacation of a downtown street could really be considered to be in conformity with the Master Plan. He also noted that 31.67 feet of the portion of Merchant Street presently under consideration had previously been vacated and sold to the Transamerica Corporation for cash; and, since the deed of sale had conveyed the totality of the City's interest in the property to the Transamerica Corporation, he felt that neither the City Planning Commission nor the City could exercise any jurisdiction over that property. Yet, the present proposal would involve that portion of the street in an exchange of property which would be governed by different

provisions of the Charter than the previous sale; and, since introduction of a proposed transfer of property would only interject further confusion into the situation with no positive result, he objected to having the Commission take action on the proposal.

Gerald Cauthen, representing the President of the Telegraph Hill Dwellers, objected to the proposed vacation of additional portions of Merchant Street since the additional land would allow the Transamerica Corporation to expand its project now or in the future. Mr. Cauthen also objected to projects designed to accommodate the automobile at a time when the real need is for better transit.

William H. Gilmartin, representing San Francisco Tomorrow, felt that streets are important for light, air, and pedestrian circulation; and he did not feel that the subject portion of Merchant Street should be vacated for the Transamerica Corporation even though he is a stockholder of that firm.

The Director, commenting on the question which Mr. Harmon had raised regarding the legality of the action requested of the City Planning Commission, advised the Commission that he had been informed that action on the Master Plan conformity of the proposed vacation and exchange of property would be completely within the Commission's jurisdiction.

Peter Christelman, speaking as an individual, voiced two issues of concern. He wondered if addition of the subject portion of Merchant Street to the property owned by the Transamerica Corporation would result in a fifth change of plans for the building proposed to be constructed by that firm. Also, since it was obvious to him that automobile traffic will eventually be prohibited in the downtown area, he questioned the wisdom of proceeding with the widening of Clay Street for the purpose of accommodating the automobile.

George Woo, representing the Department of Public Works, stated that the proposed vacation of the subject portion of Merchant Street and exchange of property would enable the City to achieve the widening of Clay Street on the north side rather than the south side; and, as a result, the City would save a great deal of money. In addition, the subject portion of Merchant Street which is presently unusable for public purposes would be added to the tax rolls.

After further discussion, it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the vacation of a portion of Merchant Street between Sansome and Montgomery Streets, as shown on SUR-1670, is in conformity with the Master Plan. It was further recommended that the Director be authorized to report that the proposed exchange of property as shown on SUR-1670 and realignment of the Clay Street widening is in conformity with the Master Plan.

At 2:05 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 2:20 p.m. for hearing of the remainder of the agenda.

2:20 p.m. Room 282, City Hall

ZM70.8 1300 Potrero Avenue, southwest corner of 25th Street R-4 to a C-2 District (Postponed from meeting of April 2, 1970); and

CU70.16 1300 Potrero Avenue, southwest corner of 25th Street Request for reconstruction of existing non-conforming use service station with increased lot coverage and adjacent parking lot; in an R-4 District. (Postponed from meeting of April 2, 1970).

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant had requested reclassification of the subject lots from R-4 to C-2 to allow reconstruction and expansion of the existing service station and to eliminate the expiration date applicable to the present station due to its current non-conforming status. As an alternate to the proposed reclassification of the property, the applicant had requested conditional use authorization for reconstruction of the existing service station building and for use of the residential lots to the south for parking purposes. In conclusion, Mr. Steele noted that a freeway on-ramp which is presently under construction will be located approximately 200 feet from the southernmost Potrero Street exit of the proposed service station.

Joseph Kelly, attorney for the applicant, advised the Commission that his client wished to withdraw the conditional use application and to pursue only the request for reclassification of the subject properties. He noted that none of the subject properties are occupied by multiple family dwellings; and he indicated that the corner lot has been used as a service station site for more than 40 years. In addition to the existing service station, one of the subject lots is presently occupied by an abandoned single-family dwelling; and the two adjacent lots have been vacant for a number of years. Mr. Kelly submitted photographs which he had taken of the subject properties and described the use of other properties in the area including properties located along the east side of Potrero Street which are presently zoned M-1. He also advised the Commission that it was estimated that the volume of traffic proceeding southward on Potrero Street would increase to 20,000 vehicles a day after the new on-ramps to the freeway have been completed.

Mr. Kelly then displayed and described a rendering of his client's proposal for reconstruction of the service station. He stated that the operator of the station had estimated that 80% of his customers presently live in the vicinity of the station; and, in view of the fact that the construction of the new freeway on-ramps would change the nature of the area, he felt that the best possible use

of the subject property would be for a new service station which could continue to provide a service for residents of the neighborhood. Although the property is presently zoned for residential use, the construction of the new freeway on-ramp seems to be changing the character of the area to such an extent that neither private or public developers would any longer be interested in the site for construction of housing; and he indicated that he had received a letter from Eneas Kane, Director of the Housing Authority, specifying that he would not be interested in the site for public housing. Under the circumstances, Mr. Kelly felt that the development being proposed would be the only one which would be practical and compatible with the new freeway on-ramp. He stated that the reconstructed service station would provide 5 or 6 new jobs; and he indicated that the operator of the station would hire only people from the neighborhood. He stated that the project had been discussed with the Mission Coalition; and he noted that representatives of that organization were present in the audience. He submitted a petition which had been signed by approximately 70 people in favor of the application; and, in conclusion, he advised the Commission that his client would be willing to work with the staff of the Department of City Planning to develop a suitable landscaping plan for the site.

Commissioner Ritchie, noting that at least 7 miscellaneous and general advertising signs were evident in the photograph of the site which had been submitted by Mr. Kelly, asked if that unsightly clutter would be avoided if the station were to be reconstructed. Mr. Kelly replied in the affirmative and indicated that only one sign would be located on the site to identify the station as an outlet for the Phillips Petroleum Company.

Elba Tuttle, acting President of the Mission Coalition, stated that she she was interested in the economic development of the Mission District; and she remarked that many of the people who work in the Mission District do not live there. She stated that her organization is of the opinion that the subject request for reclassification of the service station property should be approved so that the operator of the station will have an opportunity to expand his business and to hire more people who live in the Mission District. She stated that her organization had spent a great many hours debating and discussing the issues involved in the applicant's proposal; and she asked the members of her organization who were present in the audience to stand.

Jack Born,Chairman of the planning committee of the Mission Coalition, advised the Commission that his committee had given consideration to the applicant's proposal over the past three or four weeks. The committee had met with members of the community, with the applicant, with the Phillips Petroleum Company, and with representatives of the staff of the Department of City Planning; and after considering all points of view, the committee had acted in favor of the proposed reclassification request. Although his committee recognized the need for additional family housing in San Francisco, they did not feel that the subject site would be appropriate for housing; and, since use of the site for a service station would not result in the displacement of any people from existing housing, they believed that use of the site for that purpose would be desirable.

Mr. Born also noted that the operator of the service station has been active in the neighborhood; and he felt that it was appropriate that the neighborhood should give him support in the present instance. He stated that the Mission Coalition had been instrumental in obtaining a three-year lease on the site for the operator of the service station; and he hoped that the project would proceed as proposed. In conclusion, Mr. Born stated that his committee had reviewed all of the possible uses of the subject site and had determined that construction of the service station would best serve the purposes of the community.

No one was present to speak in opposition to the subject application.

Commissioner Porter, noting that the staff of the Department of City Planning had met with the Mission Coalition, asked if the information provided had been limited to factual matters or if the staff had made known its views regarding the applications. Mr. Steele replied the staff had reported only the facts of the case and had not indicated whether they felt that the use would be appropriate or inappropriate for the site. He indicated, however, that the staff did have certain reservations regarding the proposal. He remarked that the site would contain approximately 14,000 square feet of lot area which is quite sizable for a service station; and, under the circumstances, it would have been expected that a larger station would have been proposed, particularly if it were to be assumed that the new freeway on-ramp would improve business at the subject site. In fact, the plans which had been submitted would not appear to increase the number of gasoline pumps available on the site. With regard to signs, he noted that the Phillips Petroleum Company had exercised little discretion on its other sites throughout San Francisco; and, in one case, they are presently using an overturned automobile to advertise one of their stations located on Geary Boulevard. While Mr. Kelly had stated that the subject site would not be appropriate for housing and had emphasized the fact that use of the site for a service station would not require people to be relocated from their homes, he noted that housing is needed and that relocation might be required if housing must be constructed on other sites. If the subject site were to be developed with housing under the R-4 density provisions of the City Planning Code, 71 dwelling units could be constructed. At that density, the housing would probably be appropriate for elderly or single people. If the property were to be developed residentially at a lower density, the dwelling units would probably be desirable for families similar to those occupying other multiple-family buildings in the area.

Mr. Steele recommended that the application for reclassification of the subject property be disapproved. He remarked that the applicant had demonstrated no substantial public benefit to be derived from reclassification of the property from residential to commercial zoning; and, in any case, the proposed reclassification would result in a spot zone which had been held by the courts to be illegal. He noted that the Master Plan designates the subject neighborhood for residential development; and, since the #47 Potrero bus line terminates at the intersection of 25th Street and Potrero Avenue, good public transportation would be available to occupants of any residential building to be constructed on the subject site. Also, since the subject site is located conveniently close to schools,

shopping districts, San Francisco General Hospital, and other public facilities, he felt that development of the property with housing would be desirable. Mr. Steele further believed that reclassification of the subject property at the present time for the specific purpose of an automobile service station would be premature since the alteration of traffic patterns and flows on Potrero Avenue which may result as two lanes of traffic are diverted onto the new freeway on-ramp may cause traffic conflicts with such a use. In conclusion, he advised the Commission that virtually the same reconstruction of the service station as proposed by the applicant could be accomplished by an alternative approval of conditional use application CU70.16 under which the Commission would retain control over location of driveways, appropriate screening of the site, and intensity of use both for current development and future uses of the site.

Commissioner Kearney asked what Mr. Steele's recommendation would have been regarding the conditional use application if the applicant had not requested that the application be withdrawn. Mr. Steele replied that he would have recommended that the conditional use be authorized with conditions for a ten-year period.

Commissioner Finn inquired about the present use of properties to the south of the subject site. Mr. Steele replied that most of the properties are used for residential purposes, some being occupied by single-families and others by multiple-family dwellings.

Commissioner Porter, noting that the members of the Commission had taken a field trip to the subject site, stated that she could not imagine that anyone would be willing to develop the subject property with housing; and she stated that she would be unwilling to have elderly people committed to the site. Under the circumstances, she did not understand why the staff of the Department of City Planning was recommending disapproval of the application for reclassification of the property. Mr. Steele replied that the property may be undesirable for housing in the future because of the freeway on-ramp; however, he felt that reclassification of the property for commercial use at the present time would be premature.

Commissioner Fleishhacker asked if approval of the conditional use application would have authorized use of all four of the subject lots for service station activities. Mr. Steele replied in the affirmative, remarking that the service station building itself would have had to be located on the corner parcel but that the remaining three lots could be used for parking. Furthermore, if the conditional use application had been approved, the Commission could have required a greater amount of landscaping on the site than was being proposed by the applicant.

Commissioner Ritchie stated that he intended to request that more landscaping be provided on the site in any case. He stated that he had often passed the intersection of 25th Street and Potrero Avenue during the past 20 years; and he indicated that it was very difficult for him to visualize the subject property being used for residential purposes. In fact, he felt that continued use of the

property as a service station would serve as an excellent buffer to protect residential properties to the west from the heavy flow of traffic along Potrero Avenue. Although he realized that reclassification of the property would not allow the Commission to establish binding conditions on use of the site, he hoped that the applicant would be willing to agree to provide additional landscaping along the south and west property lines of the site and that he would have only one sign located on the property outside of the service station building.

Mr. Kelly stated that he would be willing to agree to Commissioner Ritchie's request. Mr. Torres, operator of the station, stated that he would be willing to install the additional landscaping which had been recommended by Commissioner Ritchie; however, he felt that it would be impossible to operate the station without signs advertising such services as Bankamericard, Master Charge, Blue Chip Stamps, etc.

Commissioner Ritchie asked if signs of that type could be limited to the windows of the service station building. Mr. Torres replied in the affirmative.

Commissioner Porter, noting that Mr. Kelly is a lawyer, asked if he could suggest a procedure by which the Commission could obtain a binding commitment from the applicant to honor the reasonable restrictions which had been proposed by Commissioner Ritchie regarding landscaping and signs. Mr. Kelly replied that it appeared that his client could agree to provide the additional landscaping and to restrict the number of signs on the site and then proceed to "thumb his nose" at the Commission; however, if a representation were made to the Commission that certain procedures were to be followed if the application should be approved, he felt that it was possible that a voiding of the reclassification on the basis of failure to meet those commitments might be sustained by law.

Commissioner Porter then asked how much time would be required to amortize the improvements which were being proposed by the applicant. Mr. Kelly replied that a period of approximately 20 to 25 years would probably be needed to amortize the investment.

President Kearney stated that his own inclination was to favor the conditional use approach as opposed to the applicant's proposal for reclassification of the property; and he asked if Mr. Kelly would comment on the possible disadvantages of conditional use authorization. Mr. Kelly stated that the conditional use approach would require that the service station building be located in its entirety on the corner lot. In addition to creating a difficult traffic situation, that approach would have the practical effect of leaving the three remaining lots vacant. Furthermore, while the conditional use authorization would be effective for only a ten-year period, it would take at least 20 years to amortize the cost of the improvements which were being proposed for the site. In conclusion, Mr. Kelly remarked that the statements which had been made by Mr. Steele regarding the desirability of the subject site for housing were in direct contradiction to comments which he had received from private developers and from Mr. Kane, Director of the Housing Authority.

Commissioner Fleishhacker asked Mr. Kelly to read the letter which he had received from Mr. Kane. Mr. Kelly read the letter which stated that the staff of the Housing Authority had examined the subject site and had concluded that the site would not be suitable for family housing because of its proximity to traffic and to the new freeway on-ramp.

Commissioner Fleishhacker asked how far the building proposed to be constructed by the applicant would extend onto the lots immediately south of the corner lot. Mr. Kelly replied that the building would extend 20 feet onto the adjacent lot.

Commissioner Ritchie stated that he would like to have a written statement from the Phillips Petroleum Company agreeing to provide additional landscaping on the site and to limit outside signs to one identifying sign before proceeding with approval of the subject application.

Mr. Steele advised Commissioner Ritchie that it had generally been considered to be illegal to attach conditions when properties have been re-zoned.

Mr. Born stated that the members of his organization, too, were extremely interested in the subject site; and he assured the Commission that the Mission Coalition would make every effort to see that the property is developed in accordance with the desires of the Commission.

Mr. Steele, noting that the planning committee of the Mission Coalition was extremely interested in the issue of housing, asked if they regarded the propties on either side of the subject site to be inappropriate for housing, also. Mr. Born stated that the use of those properties would be considered after the Model Cities Program has been initiated. In the meantime, he did not feel that the classification of the subject property for commercial purposes would be detrimental to the neighborhood in any way.

Commissioner Fleishhacker asked if anything would prohibit the Commission from extending the conditional use authorization for the service station beyond the ten-year period which was being recommended by the staff of the Department of City Planning. Mr. Steele replied in the negative.

Commissioner Mellon believed that the conditional use approach would be unacceptable to the applicant because of the circulation problem which would result if the service station building had to be located exclusively on the northern most lot. Mr. Kelly confirmed that fact.

Commissioner Finn asked if it would be possible for the operator of the station to amortize his investment within a 10-year period. Mr. Kelly replied in the negative.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried 4 - 2 that Resolution No. 6522 be adopted and that Application ZM70.8 be approved. Commissioners Finn, Mellon, Porter, and Ritchie voted "Aye"; Commissioners Fleishhacker and Kearney voted "No".

Subsequently, it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 6523 be adopted and that the request for withdrawal of Application CU70.16 be approved.

CU70.21 834-840 Broderick Street, east line, 95 feet south of Golden Gate Avenue
Request for extension of the Florence Crittendon Home in an R-4 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicants proposed to convert the residential building occupying the subject site into an annex for the Florence Crittendon Home which is immediately adjacent to the subject property on the north. Offices and interviewing rooms would be provided on the first floor of the annex; and the second floor would be used to house not more than twelve older girls in residence at the home. Two off-street parking spaces and storage would be provided in the basement.

North Baker, President of the Board of Directors of the Florence Crittendon Home, advise the Commission that grants had been received from three foundations to make it possible to proceed with the project which had been described by Mr. Steele. As a result of the project, the appearance of both buildings would be considerably improved. He also stated that consideration would be given to the possibility of establishing an infant day-care center at the Florence Crittendon Home to allow mothers of the children to complete their schooling.

Commissioner Fleishhacker asked if approval of the subject application would allow the infant day-care center to be established. Mr. Steele replied in the negative and specified that a separate conditional use application would have to be filed for that purpose.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele stated that the Florence Crittendon Home provides a needed service to San Francisco and has a residential character which makes it an appropriate use in the subject neighborhood. Under the circumstances, he was prepared to recommend approval of the request for extension of the facility onto the parcel of property presently under consideration subject to six specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the nature of the conditions, he recommended adoption of the draft resolution.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Resolution No. 6529 and that Application CU70.21 be approved subject to the conditions contained in the draft resolution.

CU70.22 344 - 28th Avenue, east line, 245 feet south of California Street.
Request for expansion of the Mother Goose Nursery School in an R-2 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the property is presently occupied by a single-family dwelling which is vacant; and the applicant had proposed to expand the adjacent Mother Goose Nursery School by converting the dwelling on the subject site to a classroom building. The conversion would allow the Nursery School to expand its enrollment from the present licensed capacity of 59 children to 100 children. Plans which had been filed with the application had shown an outdoor play area of 1905 square feet in the rear yard of the subject property.

Phillip Grant, building designer for the applicant, stated that the Mother Goose School had started out with only 19 children; however, because of the increase in the school's enrollment, it was now considered necessary to request that the site be expanded.

Commissioner Porter asked about the total amount of lot area which would be available for the school if the two properties were to be combined. Mr. Grant replied that the subject parcel of property has dimensions of 30 feet by 100 feet; and, if it were to be added to the 62 by 120 foot lot presently occupied by the school, the size of the overall parcel would be 92 feet by 120 feet.

Mr. Steele remarked that approval of the proposed request would result in a 50% increase in lot area, a 50% increase in lot coverage, and nearly a 100% increase in enrollment for the school.

No one else was present to speak in favor of the application.

Virginia Bornmuller, 337 - 28th Avenue, stated that she was deeply concerned about the automobile congestion in the subject neighborhood. She stated that many of the people bringing children to the nursery school double park in the street and go into the building with their children; and, as a result, she had experienced difficulty in getting her car out of her garage. She also remarked that 12 people are employed by the nursery school; and, since those people park on the street, parking has become a severe problem in the area. In conclusion, she stated that she could not imagine what the situation would be like if 50 more children were to be enrolled in the school.

Mary Vaughn represented Mrs. Edward Rando, owner of property located at 346 - 28th Avenue. Mrs. Vaughn stated that she had been a tenant in Mrs. Rando's home for 10 years. She stated that her husband is an invalid; and, because of the noise created by the school, he has to wear earplugs during the day. She stated that the school operates from 7:00 a.m. until 6:00 p.m.; and, particularly in the mornings, the slamming of car doors as children arrive is most annoying. Under the circumstances, she hoped that the application for expansion of the nursery school would not be approved.

Another resident of the subject neighborhood felt that increasing the enrollment of the school by 50 students would bring too much noise to the area.

Mr. Steele recommended that the subject application be disapproved. He stated that the expansion proposed by the applicant would result in a school of such a size that it could no longer be considered as a service for the immediate neighborhood; and the intensity of the activity would be inappropriate for the low-density residential neighborhood. The use would also be rendered inappropriate for the subject site by lack of adequate off-street parking facilities for the staff of the school.

Mr. Grant stated that he had never experienced any difficulty finding a parking place in the subject neighborhood. He acknowledged that the children do create some noise; however, a baffle consisting of a redwood fence and trees would be installed to reduce the noise to the maximum extent possible.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that Resolution No. 6525 be adopted and that the subject application be disapproved.

CU70.24 1200 - 9th Avenue, southeast corner of Lincoln Way
Request for permission to rent automobile trailers on the site of an existing service station in a C-2 District.

The Secretary read telegrams which had been received from Una C. Bush, President of the Sunset Heights Improvement Club, and from Gerald Comaroto, President of the Sunset Merchants Association, requesting a two-week postponement of the hearing on the subject application.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to operate a "U-Haul" trailer rental agency on the premises of the existing service station. However, on four field inspections which had been made by the Department of City Planning, the number of trailers stored by the applicant had exceeded the 8-trailer limit for which the subject application had been made. In addition, one U-Haul truck had been seen on the site; and he noted that the application had not requested authorization for open truck rental.

George Belden, operator of the subject service station, stated that he has no lubrication rack; and, as a result, he felt that he needed to rent trailers on the site in order to supplement the income from the gasoline pump. In conclusion, he stated that only two other service stations in the Sunset District presently provide a trailer rental service.

Commissioner Kearney asked how many trailers Mr. Belden intended to keep on his lot. Mr. Belden replied that he expected to handle approximately 8 or 10 trailers. Commissioner Fleishhacker asked Mr. Belden if it would be possible for him to control the number of trailers being returned to his site. Mr. Belden replied in the negative, noting that people would have to take the trailers downtown, to 19th Avenue, or to Bayshore Boulevard if they could not be left at his lot.

Commissioner Fleishhacker asked Mr. Belden if he would make any money by handling returned trailers. Mr. Belden replied in the negative.

Commissioner Finn asked when the company owning the trailers would pick them up from the subject property. Mr. Belden replied that the trailers are usually picked up within 8 or 10 hours following his request.

Commissioner Ritchie remarked that the trailers had been stored in neat line when the Commission had made a field trip to the site; and, under the circumstanes, he did not feel that it should make much difference to the Commission whether the lot is used for the rental of 6 or 8 trailers or 8 or 12 trailers.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele recommended that the application be disapproved. He remarked that the intersection of Lincoln Way and 9th Avenue has been recognized by the Department of Public Works as one of the 10 highest accident locations in the city; and he felt that the proposed trailer rental operation would interfere with a smooth traffic flow on those streets by increasing activity and visual distraction for motorists. Also, while the applicant had been operating an illegal trailer rental facility having 12 to 20 trailers, as well as rental trucks on the premises, the application which had been filed had requested authorization for only eight trailers; and it was apparent that the use would exceed the authorization even if it were to be approved. Mr. Steele also noted that the subject property is located across the street from Golden Gate Park; and it was his opinion that the proposed use would not be in conformity with the urban design criteria which had been proposed for properties adjacent to the park. Under these circumstances, he recommended that the draft resolution of disapproval which he had prepared be adopted.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that further consideration of the subject application be postponed until the meeting of June 4, 1970, in accordance with the requests which had been received from Mrs. Bush and Mr. Comaroto.

ZM70.11 1343-45 - 7th Avenue, west line, 250 feet north of Judah Street
R-3 to an R-4 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the two lots involved in the subject application are presently owned by the 7th Avenue Presbyterian Church. One of the lots is developed with a 4-unit dwelling with parking in the rear yard; and the second lot is developed with a building for church use in the front and parking in the rear. The applicant had requested that the two parcels be reclassified from R-3 to R-4 to permit the construction of 30 units of efficiency and one-bedroom apartments for elderly persons on the site. The proposed building would have four floors of occupancy over ground-level lounge areas; and off-street parking for 20 to 24 automobiles would be provided on the site.

David Lacey,a member and officer of the 7th Avenue Presbyterian Church, stated that the church had owned the two subject properties for a number of years and had operated them to some extent as a business. However, the church had always wanted to use the properties for a project which would have more meaning for the community at large; and, as a result, when a proposal had been made to use the site for low-cost housing, the response of the church had been enthusiastic. While he acknowledged that certain problems would have to be faced before the project could be undertaken, he felt that a wonderful opportunity had been presented to provide housing for a sizable number of people who already live in the area and who might be displaced if housing of the sort being proposed could not be provided. Although R-4 zoning of the site would permit 50 units to be constructed, the present plans for the proposed building would provide a total of only 30 units. Mr. Lacey remarked that the church has not created any parking problem in the area; and, since many of the people who would be renting apartments in the proposed building would not own automobiles, he did not feel that parking would be an issue. He pointed out that the subject site is located within a short distance of Golden Gate Park; and shopping facilities and streetcar service to Downtown San Francisco are located close at hand. In conclusion, he assured the Commission that the proposed project would be designed and constructed with a concern for preservation of character of the neighborhood.

Commissioner Porter asked if the proposed project was being sponsored by the 7th Avenue Church, itself, or by the Presbyterian Council of Churches. Mr. Lacey stated that the project would be sponsored by his church and that it would not have anything to do with projects such as the Sequoias.

Miss Gans, a social worker for the San Francisco Council of Churches, stated that she had worked with senior citizens at the 7th Avenue Presbyterian Church for the past 7 years. She remarked that the San Francisco Housing Authority has a waiting list of approximately 3,000 people for public housing; and, under the circumstances, she felt that encouragement should be given to the church in its desire to use its property for the construction of 30 dwelling units. She stated that the proposed project would not change the character of the neighborhood; and it would allow some people presently living in the neighborhood to remain in the area. In conclusion, she stated that statistics had made it clear that off-street parking places are not needed for housing for the elderly.

Commissioner Porter asked how the proposed project would be financed and whether the tenants of the building would be on welfare. Alan Maremont, housing consultant for the church, replied that the project would be financed under Section 236 of the Federal Housing Act which would provide up to $4,500.00 for a single-person dwelling unit and up to $5,600.00 for a two-person dwelling unit. Twenty percent of the apartments in the building would be reserved for low-income people who would be required to pay only 30% of the fees paid by other residents of the building. He estimated that single-person efficiency apartments in the building would rent for $90.00 per month and that one-bedroom apartments would rent for $112.50 per month.

Commissioner Porter asked if people dependent upon old-age assistance would be able to rent the apartments less expensively than the prices quoted. Mr. Maremont replied in the affirmative. Miss Gans stated that the top rental allowance for people dependent on old-age assistance is $62.00 per month.

Commissioner Porter asked if anyone was familiar with the rental fees being charged at the Kennedy Towers. Mr. Maremont replied that apartments in that building rent from $39.00 to $41.00.

Connie Molay, Director of one of the senior citizens centers, stated that the top rental allowance budgeted by the Social Services Department is often less than people actually pay. Under these circumstances, she felt that there is a definite need for the type of project being proposed.

Ed Conroy, Chairman of the steering committee of the Sunset-Parkside Education and Action Committee (SPEAK), reported that his committee had decided to support the project being proposed by the 7th Avenue Presbyterian Church for the following reasons:

"1. Its location is within a half block from public transportation.

2. It will be convenient to a number of denominational churches in the immediate area.

3. Closeness to the U. C. Medical Center.

4. Convenient to the non-denominational senior citizens center which has been operated for many years at the 7th Avenue Presbyterian Church."

In conclusion, Mr. Conroy stated that his committee believed that the Planning Commission should encourage civic groups such as churches, unions, fraternal organizations, etc., to involve themselves in the solution of the city's housing problems; and he stated that he believed that the project presently under consideration would be an asset, both aesthetically and economically, to the immediate neighborhood.

Edith Witt, housing representative for the Human Rights Commission, expressed her appreciation to the staff of the Department of City Planning for the concern which it had demonstrated with regard to the housing problems being faced by the city. She also quoted from a report recently published by the Department of City Planning which specified that the vacancy rate for studio apartments renting for $90.00 to $100.00 a month in the city is .3% and that the vacancy rate for one-bedroom apartments renting for $100.00 to $124.00 per month is 1.8%; and she noted that the same report had indicated that the vacancy rate for similar apartments in the Parkside-Sunset District is 0%. Under these circumstances, she felt that the need for the type of housing being proposed in the subject neighborhood should be obvious. Furthermore, the city's housing stock for elderly people is constantly being depleted both by public and by private actions. While the 30 dwelling units presently being proposed would not solve the city's housing problems, provision of similar developments on small sites scattered throughout the city might eventually enable the city to achieve the 10,000 new units which it needs. She recognized that certain problems might have to be overcome with regard to use of the subject site for the proposed housing project; however, she felt that similar problems would have to be faced each time that a similar project is proposed. She appreciated the job which is being done by churches to provide new housing for the city; and, since the project presently under consideration would replace a parking lot with facilities for people, she felt that it should be approved.

Ann Cantor, 224 Judah Street, stated that she had interviewed 34 residents of the neighborhood and had found that 31 of the people were convinced that use of the subject property for high-density, low-income housing would be undesirable. She remarked that the neighborhood is already at the maximum density consistent with public services and transit provided in the area; and she felt that that reclassification of the subject property from R-3 to R-4 would set an undesirab precedent for higher-density housing in the area. In addition, R-4 zoning would allow greater height and greater lot coverage on the site than would be permitted under the present R-3 zoning; and a building such as the type proposed would ultimately increase traffic congestion in the area. If the property were to be developed with housing under its present R-3 zoning, 12 dwelling units could be constructed on the site; and she felt that such a project would be much more in harmony with the predominantly family residential character of the neighborhood. While she recognized that the city does face a housing problem which must be solved, she felt that the problem could be solved without treading on the integrity of existing residential neighborhoods. Concluding her remarks, Miss Cantor submitted a petition which had been signed by 31 residents of the subject neighborhood in opposition to the application.

The Secretary called attention to letters which had been received from Ann Gottesman and from Elaine Jannis in opposition to the subject application.

Mr. Steele stated that the staff of the Department of City Planning was aware of the low vacancy rate for the type of dwelling unit being proposed; and from that point of view, they were sympathetic with the application. However, since the subject properties are not located immediately adjacent to an R-4 district, the reclassification requested would constitute spot zoning and would have questionable legal status. He also pointed out that existing development within the immediate vicinity of the subject property is low and medium in density and could be adversely affected by the higher density development which would be permitted under R-4 zoning; and he noted that R-4 zoning would allow unlimited height on the site whereas other properties in the area are governed by the 40-foot height limit of the R-3 district. Under these circumstances, he felt that reclassification of the subject property to R-4 would inevitably change the character of 7th Avenue in the immediate vicinity. Mr. Steele also pointed out that a large number of properties in the block to the north of the subject site are zoned R-4 but are developed only to the density of an R-2 district; and he felt it might be more appropriate for the proposed building to be located in that area instead of on the subject site. For those reasons, he recommended that the subject application be disapproved.

President Kearney asked to what extent the plans which had been submitted by the applicant were deficient in terms of parking space. Mr. Steele replied that from 8 to 12 additional parking spaces would have to be provided to meet the City Planning Code requirements for the apartment building and for the church.

At this point in the proceedings, Commissioner Mellon absented himself from the meeting room for the remainder of the meeting.

Mr. Maremont displayed and commented upon a chart which he had made for the purpose of comparing height, bulk, density and other factors allowable in the R-3, R-3.5 and R-4 districts as opposed to the characteristics of the actual projects being proposed. He emphasized that the size of the individual dwelling units in the proposed building would be small since the building had been designed for elderly people rather than families; and, as a result, the building would not reflect many of the characteristics ordinarily expected in an R-4 development. He remarked that the Commission had in the past authorized housing projects for the elderly to have only 25% of the normally required number of parking spaces; and he pointed out that the proposed project would include 24 parking spaces for the church which would be used for that purpose only on Sundays. As a result, he felt that the number of parking spaces proposed for the site would be adequate to serve the needs of the elderly people living in the proposed building.

Mr. Maremont advised the Commission that it would not be economically feasible to construct a 13-unit building as allowed in an R-3 district on the site or an 18-unit building as allowed in an R-3.5 district. Only if 30 units were to be constructed would the project be economically feasible; and, in order to proceed with such a project, R-4 zoning would be required. He pointed out that the building had been designed so that the fourth story would be set back a considerable distance from the property line; and, as a result, the building would have the appearance of a conventional three-story building and would not be out of character with other buildings in the area. While there is a substantial R-4 district located north of Irving Street, he remarked that those properties are located no closer to the neighborhood shopping district than the subject site; and he did not understand why those properties should be considered more appropriate for R-4 development than the subject site. He agreed that the streets in the neighborhood would be overloaded if all of the properties in the area were to be zoned and developed at the R-4 density; but he assured the Commission that the church would be willing to have its property reclassified to R-3 if it should prove impossible to proceed with the specific project being proposed. Given the limited number of sites available in the city for development of projects such as the type being proposed, and given the city's need for housing of that type, he felt that it would be wise for the Commission to allow the project to proceed.

Commissioner Porter inquired about the size of the units being proposed. While she realized the need for housing for the elderly, she felt that economic considerations often result in the construction of projects which are not completely desirable. Mr. Maremont replied that studio apartments in the building would contain approximately 400 square feet of floor area and that one-bedroom apartments would contain approximately 600 square feet of floor area. While the units would not be luxurious, they would not be designed to minimum standards.

President Kearney, noting that the staff of the Department of City Planning had raised objections to the reclassification on the basis that various undesirable results could develop if the property were reclassified to R-4, stated that he did not believe that such circumstances would transpire since the subject property is owned by a church and not by a private developer. He indicated that he was inclined to be in favor of the proposal.

Commissioner Finn asked if the Department of City Planning would retain any control over the height of the proposed building if the property should be reclassified to R-4. Mr. Steele replied in the negative. With regard to the comments which had been made earlier by Mr. Maremont, Mr. Steele acknowledged that housing for the elderly such as the type being proposed in the present instance does have smaller dwelling units and a fewer number of people per unit than ordinary apartment buildings; and he conceded that such projects would not generate a great deal of traffic. He emphasized, however, that the City Planning Code does not contain any special provisions for housing for the elderly; and, as a result, the only means of providing for a project with the number of units proposed on the subject site would be to reclassify the site to R-4 by spot zoning. While he did not feel that such an action would be appropriate, he felt that it might be

appropriate for the Commission to consider recommending an amendment to the City Planning Code which would take into account the lower occupant density of housing for the elderly.

Commissioner Fleishhacker suggested that it would be desirable for the Commission to obtain a letter from the 7th Avenue Presbyterian Church stating exactly what they would and would not do with the site before putting the matter to a vote of the Commission.

Commissioner Porter doubted that anyone was more interested in providing housing for the elderly than she; however, she did not feel that such projects should be allowed to disrupt established neighborhood patterns. Furthermore, she felt that the Commission should not be more willing to make exceptions for churches than for other people who are trying to provide housing for the elderly. It was her opinion that the proposed project should be accomplished within the present R-3 zoning of the subject site or that another parcel of property should be found which is already zoned R-4.

Commissioner Ritchie shared the point of view which had been expressed by Commissioner Porter. He felt that the proposed project would definitely have an adverse effect on the character of the neighborhood; and, since approval of the subject application would constitute spot zoning, he felt that the application should be disapproved.

Commissioner Fleishhacker agreed that the proposed project might change the character of the subject neighborhood; however, he pointed out that all neighborhoods are changing every day. If the proposed project were to be constructed exactly as it had been represented, he did not believe that it would have a detrimental effect on the neighborhood; however, he was anxious to obtain some sort of guarantee from the church that no other project would be constructed on the site before he would be willing to vote in favor of the application.

Mr. Lacey stated that while he would like to be able to make such a guarantee to the Commission, he did not know how to proceed since anything which might be said or written on paper would not be legally binding. He assured the Commission, however, that it was the intent of the church to construct the project which had been described.

Commissioner Finn stated that he was not concerned about the impact of the proposed building on the subject neighborhood; however, he was anxious to determine that the individual dwelling units in the proposed building would be designed to accommodate people comfortably. If the matter were taken under advisement, he hoped that more detailed plans could be provided to depict the type of units actually being proposed.

Commissioner Porter asked if the proposed project would be tax-exempt. Mr. Maremont replied in the affirmative.

After further discussion it was moved by Commissioner Finn, seconded by Commissioner Fleishhacker, and carried 3 - 2 that the subject application be taken under advisement until the meeting of May 21, 1970. Commissioners Finn, Fleishhacker, and Kearney voted "Aye"; Commissioners Porter and Ritchie voted "No".

CU70.26 1321 - 26th Avenue, west line, 100 feet south of Irving Street.
Request for expansion of an existing parking lot for the Chapel of the Sunset Mortuary, in an R-2 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that he had received a letter from Ralph J. McGill, the applicant, stating that he had been called out of town on business and requesting that hearing of the subject application be postponed for one month.

President Kearney asked if any members of the audience were present to be heard regarding the subject application. No one responded.

After discussion, it was moved by Commissioner Finn, seconded by Commissioner Fleishhacker, and carried unanimously that hearing of the subject application be postponed until the Commission's meeting on June 4, 1970.

CU70.28 An "L" shaped parcel of land consisting of:

1) 2829 California Street, south line, 110 feet west of Divisadero Street; and

2) 1933-35 Divisadero Street, west line, 110 feet south of California Street.
Request for an ambulance service building in a C-2 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to construct a new building on the site which would provide a two-story office building and an ambulance steward dormitory fronting on California Street above a basement below-grade which would be used for storing ten ambulances. Covered off-street parking for ten automobiles would occupy the portion of the subject lot fronting on Divisadero Street. Vehicular access to the proposed automobile and ambulance parking areas would be only from Divisadero Street.

Garo Dorian, architect for the applicant, stated that his client presently owns an ambulance service facility at 2116 Sutter Street which has outlived its usefulness; and, as a result, the new building was being proposed. He stated that the proposed building would be landscaped; and he felt that it would be an asset to the neighborhood. Although no off-street parking spaces would be required for the site since the proposed office space would not exceed 5,000 square feet of floor area, space for the parking of ten automobiles had been included in the plans. All of the ambulances would be stored in an enclosure within the building; and all vehicular access to the site would be from Divisadero Street. The office building would be set back 20 feet from the California Street property line, and the rear portion of the building would be located 67 feet from the rear property line of the site to permit the construction of a landscaped brick patio. After displaying and describing a rendering of the proposed building, he urged that the application be approved.

Commissioner Fleishhacker, noting that the 20-foot setback along California Street would expose the side walls of adjacent buildings, asked what type of treatment would be given to those walls. Mr. Dorian replied that he had asked the adjacent property owner to paint the exposed walls.

Commissioner Ritchie, noting that California Street is heavily planted with trees, asked how many trees the applicant intended to install on the California Street frontage of his property. Mr. Dorian replied that the plans which he had prepared indicated two street trees along the 55-foot frontage of the site.

Commissioner Ritchie asked about the spacing of trees on the remainder of the street. Mr. Dorian replied that the trees are irregularly spaced, some being 35 feet apart and others being 50 feet apart. While it would be possible to plant more than two trees in front of the subject property, he pointed out that trees are already located within 10 feet of the easterly property line and within 7 feet of the westerly property line of the site.

Commissioner Ritchie suggested that three street trees should be planted in front of the site. Mr. Dorian agreed that the trees would be planted.

Jeri Puett, 1913 Divisadero Street, felt that the proposed ambulance service use of the subject site would bring additional traffic and a greater amount of noise to the neighborhood. She stated that she and other residents of the neighborhood would prefer to have the property developed with small shops; and she had circulated a petition in the neighborhood which had been signed by a number of people opposing the subject application.

William Gravesmill, owner of property located at 2028 Divisadero Street, stated that he had spent a tremendous amount of money on this property in order to upgrade it for rental purposes. He stated that he was anxious to have the subject lots developed; however, since an emergency ambulance service would require the use of sirens and since such noise might make it difficult to keep tenants in his building, he hoped that the subject application would be disapproved. He also

pointed out that the subject block of Divisadero Street has a divider strip in the middle of the roadway; and, as a result, ambulances wishing to head northward would have to make a U-turn at Pine Street or else go around the block.

At this point in the proceedings, Commissioner Finn absented himself from the meeting room for the remainder of the meeting.

Mrs. Walter Meyer, owner of property fronting on Pine Street which abuts the subject site, stated that she and her husband had spent a great deal of money converting two Victorian buildings and had obtained two tenants for their property. However, since one of the rental units faces to the rear of her property, she was somewhat concerned about the activities which might take place on the rear portion of the subject site. If the emergency ambulances would enter the proposed building underground, she did not feel that the use would pose too many problems; however, before making up her mind either for or in opposition to the application, she wished to know more about the activities which would take place on the site.

The Secretary called attention to letters from Roy C. Johns, Jr., 2777½ Pine Street, and from Frieda Heyman, President of Heyman Properties Inc., in opposition to the subject application.

President Kearney asked if use of sirens on the ambulances would be regulated. Mr. Richard F. Angotti, the applicant, replied that his firm does not receive many emergency calls which would require red lights and sirens; and, when such cases do occur, ambulances are often in the field which can respond to the call. If emergency vehicles were to be dispatched from the central office, use of sirens would be delayed for at least a couple of blocks. In conclusion, he advised the Commission that he had received no complaints regarding sirens from residents of the neighborhood in which his ambulance service is presently located.

Commissioner Fleishhacker asked what route would be followed if ambulances leaving the site wished to head northward. Mr. Angotti replied that the ambulances would proceed south on Divisadero Street and then travel west on Pine or east on Bush before heading northward on another street.

Mr. Steele stated that the staff of the Department of City Planning had not obtained enough information from the applicant in advance in order to make a proper evaluation of the proposal. During the course of the hearing, his concerns about the proposed use were alleviated, and he was prepared to recommend approval of the application; however, he hoped that the Commission would take the matter under advisement so that he could prepare a draft resolution containing appropriate conditions to govern use of the site.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the subject application be taken under advisement until the meeting of May 21, 1970.

At 5:00 p.m. President Kearney announced a 10-minute recess. The Commission reconvened at 5:10 p.m. and proceeded with hearing of the remainder of the agenda.

CU70.29 3494 - 21st Street, northeast corner of Dolores Street. Request for establishment of the California Institute of Asian Studies, an eleemosynary institution, in an R-4 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the single-family dwelling occupying the site had been used for offices and classes by the California Institute of Asian Studies without zoning authorization since September, 1968. However, the applicant was now requesting legal authorization for the use. The first floor of the building would be used for an office, a student's lounge, and two classrooms; and the second floor would include one office, two library rooms, a reading and meditation room, and two classrooms. One off-street parking space would be provided. Mr. Steele stated that the California Institute of Asian Studies is not fully accredited; however, as a subsidiary of the Cultural Integration Fellowship, a non-profit religious organization, it would qualify for consideration as an eleemosynary institution. At the present time, from 5 to 9 classes are scheduled in the building each evening; and the enrollment of the school had been indicated at approximately 110 students. Eighteen people have been listed as members of the faculty.

Dr. Haridas Chaudhuri, the applicant, stated that he had owned the subject property since 1965 and that he had operated an educational institution on the site since 1968. He informed the Commission that most of the students attending classes at the Institute are schoolteachers and professors; and he indicated that the results of his work at the Institute have been published in this and other countries. In conclusion, he stated that his neighbors felt that the Institute makes a contribution to the cultural climate of the neighborhood; and some of the neighbors were present in the audience in support of the application.

Frank Costello, 3461 - 21st Street, stated that he had lived in the subject neighborhood for 45 years; and he indicated that quite a severe parking problem had recently developed in the area. He hoped that the neighborhood could retain its present character; and, for that reason, he hoped that the subject application would be disapproved.

Mrs. Pini, 3463 - 21st Street, commented on noise and parking problems in the neighborhood. She stated that the neighborhood is zoned for residential use; and she felt that the residential character of the neighborhood should be preserved. Therefore, she urged that the subject application be disapproved.

Pierre Serres, owner of property located at 773 Dolores Street, stated that Dolores Street used to be the best street in the Mission District; however, recent changes have taken place to make the neighborhood less desirable. Under the circumstances, he felt that approval of the subject application would not be appropriate.

Mr. Steele quoted from Section 303 of the City Planning Code as follows:

> "After hearing on the application, the City Planning Commission may approve the application and authorize a conditional use if the facts presented are such as to establish that the proposed use or feature, at the size and intensity contemplated at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community."

Mr. Steele felt that the use being proposed by the applicant would not be residential in character and that it would not need to be placed in a residential neighborhood. Furthermore, the intensity of activity which would be generated by the use, particularly parking, would be extremely detrimental to the surrounding neighborhood which already has an acute parking shortage. For those reasons, he recommended that a draft resolution be adopted disapproving the subject application.

Lilian Foote, 761 Marina Boulevard, identified herself as a student of the Institute and informed the Commission that the school does offer a great deal. With regard to parking, she pointed out that it is difficult to find a parking space any place in San Francisco; however, when curb spaces are available, they may be rightfully used by any member of the public. She stated that she attends classes at the Institute at 8:30 in the evening when most of the students are present; and she has never been unable to find a parking space within two blocks of the site. She hoped that the subject application would be approved so that the Institute would be able to carry on its work in the community.

A resident of the building located next door to the Institute stated that she had known the applicant since 1965 and had never experienced any inconvenience because of the operation of the school. She acknowledged that parking spaces are difficult to find in the subject neighborhood; however, she felt that the situation had arisen because of the number of new apartment buildings in the area and not because of the school.

Another member of the audience felt that the application should not be denied solely on the basis of parking.

Commissioner Porter asked about the hours of operation of the school. Mr. Chaudhuri stated that classes are held from 6:30 until 8:00 and from 8:30 until 10:00 at night.

Commissioner Fleishhacker asked if members of the faculty are on the site during the day. Mr. Chaudhuri replied in the negative.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 6526 be adopted and that the subject application be disapproved.

CU70.30 3429-31 Anza Street, south line, 110 feet east of 26th Avenue.
Request for increase of occupancy from 6 to 8 persons in an existing residential care home in an R-3 District; and

CU70.31 3433-35 Anza Street, south line, 75 feet east of 26th Avenue.
Request for increase of occupancy from 6 to 8 persons in an existing residential care home in an R-3 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant, owner of both parcels of property, proposed to increase the occupancy of each residential care home from 6 to 8 persons. No exterior alteration or enlargement of the buildings was proposed; and all patients would be accommodated in single rooms on the first and second floors of occupancy. Five individually accessible off-street parking spaces could be provided in a ground-floor garage; and a single kitchen would service both buildings although each building is separately licensed by the Department of Social Services.

Mrs. Marion Morrill, the applicant, stated that she hoped that the applications would be approved.

Commissioner Fleishhacker asked if the present use of the two homes for six patients each had been authorized by the Commission as a conditional use. Mr. Steele replied in the negative indicating that up to six patients may be cared for as a principal permitted use in a residential district.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele recommended that both applications be approved. He stated that the proposed increase from six to eight patients would provide additional capacity of a type needed for the care of residents of San Francisco; and he did not believe that the increase would be sufficient in intensity to be at all detrimental to the surrounding neighborhood. He noted that the actual operation and alteration of the buildings would have to comply with regulations and ordinances applicable to residential care homes under other city codes. He distributed copies of draft resolutions which he had prepared for approval of the two applications; and, after summarizing the conditions which were contained in the draft resolutions, he recommended their adoption.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6527 be adopted and that Application CU70.30 be approved subject to the conditions contained in the draft resolution.

Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissiioner Porter and carried unanimously that Resolution No. 6528 be adopted and that Application CU70.31 be approved subject to the conditions contained in the draft resolution.

ZM70.10 522 - 30th Avenue, east line, 100 feet south of Geary Boulevard.
R-4 to an R-3 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He noted that the Commission had previously disapproved a request for reclassification of the southern portion of the subject lot from R-3 to R-4; and after that disapproval had been sustained on appeal to the Board of Supervisors, residents of the neighborhood had filed the present application requesting that the northern portion of the lot be reclassified from R-4 to R-3.

Kenneth Hunter, representing the applicant, displayed an artist's rendering of the type of buildings which the owner of the property proposed to construct if the subject lot should continue to retain its R-4 and R-3 zoning. The northern R-4 portion of the site would be developed with a six-story apartment building; and the southern R-3 portion of the site would be developed with a four-story building. He felt that the R-4 zoning of the northern portion of the site would create a serious density problem in the neighborhood since it would allow 20 dwelling units to be constructed instead of the five dwelling units which would be allowed under R-3 zoning; and, in addition to attaining a height of six stories, an apartment building constructed under the R-4 zoning standards would be permitted to use its rear yard area for parking. Furthermore, while the subject neighborhood is presently family residential in character, the buildings which had been proposed by the owner of the subject property would be designed to cater to "swingers".

Mr. Hunter advised the Commission that the subject property had formerly been a part of a larger parcel of property which had frontage on Geary Blvd.; and, since the property was owned by a church at the time when the new zoning ordinance was adopted in 1960, the entire lot had been included in the R-4 zoning district. Subsequently, the parcel of property presently under consideration had been sold to a private developer. Unlike other R-4 properties in the area, the subject lot does not have access onto Geary Boulevard; and, in fact, the boundary line between the R-3 and R-4 districts which runs consistently parallel with Geary Boulevard through the Richmond District has to be made a jog in order to include the subject lot in the R-4 district. Because the owner of the property had previously requested reclassification of the southern half of the lot from R-3 to R-4, there seemed to be some element of speculation involved in his purchase of the property for $51,000. If the entire site were re-zoned to R-4, 25 (SIC) dwelling units could be developed on the property at a land cost of $2,000 per unit; however, if the entire site were to be reclassified to R-3, only 10 dwelling units could be constructed at a land cost of $5,000 per unit which would be somewhat in excess of the average per-unit cost of land in the Richmond District.

As a result, reclassification of the subject portion of the site from R-4 to R-3 would result in some economic disadvantage to the developer. On the other hand, since construction of a six-story R-4 building would have a definite detrimental impact on the subject neighborhood, he felt that the reclassification of the property from R-4 to R-3 should be approved. In any case, the owner of the property was obviously willing to speculate when he purchased the site and filed a request for reclassification of the southern portion of the property from R-3 to R-4, thinking that he would get a "free ride" if his request were granted; and, as on the stock market, anyone who speculates should be prepared to lose once in a while.

Mr. Hunter stated that he had been advised that approval of the subject application would establish a precedent since no application requesting down-grading of zoning had previously been approved by the Commission; however, if the application were to be approved, it would put purchasers of property on notice that if they are anxious to start a zoning fight in the neighborhoods they cannot get a "free ride". Furthermore, if it had not been intended that such applications should not occasionally be pursued successfully, the City Planning Code would have forbidden the filing of such applications.

Mr. Hunter noted that the City Planning Commission resolution which had been adopted on March 5, 1970, to disapprove reclassification of the southern portion of the subject lot from R-3 to R-4 had contained the following language:

> "WHEREAS, The applicant's proposal to construct approximately 26 dwelling units on the subject site far exceeds this level of existing residential density, and such development would be completely out of character with the existing one- and two-family dwellings that predominate in this area."

Since the presently existing zoning of the site would permit the 25 or 26 units to be constructed on the property, he felt that the case which he was trying to make for the neighborhood had been stated in a "nutshell" by the language which he had just read of the Commission's previous resolution; and since the neighborhood had given the Commission an opportunity to protect the character of the neighborhood by filing the application presently under consideration, he hoped that that application would be approved.

Commissioner Ritchie asked Mr. Hunter what he had meant by use of the term "swinger housing". Mr. Hunter replied that he considered "swinger housing" to be of the type which caters to unmarried people, bachelors, stewardesses, etc., who often share apartments with two or three other people.

Commissioner Ritchie asked how much would be charged for apartments in the proposed building. Mr. Hunter replied that he did not know the answer to that question and suggested that the question should be directed to the owner of the property.

Commissioner Ritchie, noting that Mr. Hunter had stated that reclassification of the subject property from R-4 to R-3 would place the owner of the property at somewhat of an economic disadvantage, stated that he felt that such reclassification would actually result in a financial loss for the owner. Mr. Hunter agreed and pointed out that the loss would have occurred as a result of speculation.

Commissioner Fleishhacker asked if residents of the neighborhood had given consideration to requesting that all properties in the area be reclassified to R-2. While such an approach would obviously lower the value of all of the properties involved, R-2 zoning would be consistent with the general development of the area. Mr. Hunter replied that such an approach would probably be given consideration now that residents of the neighborhood had become concerned about the issue of zoning.

Mrs. Prepauses, one of the applicants, stated that she was not present to buy, sell or build, but rather to protect her property from the high-rise, high density building which the owner of the subject property proposed to construct. She and other residents of the neighborhood felt that the subject property should be re-zoned to R-3 to conform with other properties located along 30th Avenue, particularly in view of the fact that the intersection of 30th Avenue and Geary Boulevard is a very congested area.

Paul Boyd, 233 - 9th Avenue and a member of the executive board of the Richmond Council, pointed out that a school is located directly across the street from the subject property; and he felt that the additional traffic which would be generated by the building proposed to be constructed by the owner of the subject lot would create a definite hazard for the school children who sometimes fail to observe traffic signals. Also, with regard to questions raised by Commissioner Ritchie, he emphasized that the owner of the property had paid $51,000 for the entire site, including both the portions presently zoned R-4 and R-3; and, since the portion of the site presently zoned R-3 would not be affected by the subject application, the owner's financial loss would not be as great as it would be if the entire parcel of property were to be affected by the reclassification. He noted that the Commission, meeting earlier in the afternoon, had considered a request to re-zone church-owned property located on 7th Avenue from R-3 to R-4 to accommodate a specific project; and he wondered what would happen if that church should decide not to proceed with the project after the property has been reclassified. He guessed that the result might be similar to the case presently before the Commission which involves property that had previously been zoned R-4 because it was in church ownership but which had later been sold to a private developer. Mr. Boyd remarked that everything today is speculative, even life itself; and he believed that people will no longer sit still and be imposed upon by other people whose primary motivation is to make a profit.

George Choppelas, attorney for the owner of the subject property, stated that he had previously advised residents of the subject neighborhood that they had been misled regarding the purpose of the previous application which had been filed by his client requesting reclassification of the southern portion of the property from R-3 to R-4. The real purpose of the reclassification application had been to permit his client to build one four-story structure on the property instead of the combination of a six-story and a four-story building previously called to the attention of the Commission. However, the residents of the neighborhood had not understood the proposal; and, subsequently, they had obtained the services of a "volunteer attorney" who could and did make mis-statements before the Board of Supervisors when the appeal from the previous action of the City Planning Commission was being considered. As a result, the neighborhood became further agitated.

Mr. Choppelas stated that the fact of the matter is that his client owns one lot, not two; and the lot is divided by the boundary between the R-4 zoning district to the north and the R-3 zoning district to the south. Given that peculiarity, the property would have to be developed with two buildings, one having a height of six stories and the other having a height of four stories. When that situation had been explained to residents of the neighborhood, they had been appalled. His client, Mr. O"Neill, had wanted to be a "good guy" and had called a meeting of the neighborhood in the church building to explain the situation in greater detail and to ask the support of the neighborhood in obtaining R-4 zoning for the southern portion of the site so that a single four-story building could be constructed; and, when the matter had been taken to the Board of Supervisors, 72% of the owners of properties within a 300-foot radius of the subject site had lent their support to his client. Mr. Choppelas believed that the people who had filed the present application do not live within a 300-foot radius of the subject site; and, in any case, they had not expressed any interest in having the property re-zoned prior to the time that it was purchased by his client. If the property were now reclassified from R-3 to R-4, his client would suffer a terrible loss; and, by such an action, the City Planning Commission would establish a dangerous precedent which would have the effect of condemning property without compensation. In that light, many contractors and builders were present in the audience because of their concern about the outcome of the present hearing; and he intended to introduce them individually so that they could address the Commission. In conclusion, Mr. Choppelas stated that the housing which his client intended to construct would not be designed for "swingers" but for middle-class families; and he emphasized that there is a need for such housing in the city.

Samuel Schneider, an engineer, stated that he prepared engineering designs for over 100 apartment buildings in San Francisco. He indicated that he had made a survey of the subject site which drops 13 feet to the rear property line and 10 feet from the north to the south property line and has a warped surface. He had determined that retaining walls would have to be constructed; and a tremendous amount of fill would have to take place on the property. He estimated that the cost of preparing the property for construction would come to approximately $30,000; and he pointed out that it would be difficult to justify that expenditure if only 10 units could be constructed on the site, particularly given the limitations on the rent structure in the Richmond District.

Marshall Mirza, a general engineering contractor and a grading and paving contractor, estimated that it would cost $7,000 to $10,000 just to grade and fill the site; and, if the applicant were to be allowed to construct only 10 units, he did not feel that the project would be economically feasible.

Sandy Hoagland, of Coldwell Banker & Co., identified himself as the applicant's real estate broker. He asked how many units could be constructed if the zoning of the site were to remain unchanged. Mr. Steele replied that 25 units could be constructed on the property if it were to retain its R-3 and R-4 zoning.

Mr. Hoagland assured the Commission that his client did not have speculation in mind when he purchased the subject property or when he had filed the previous application for reclassification of the southern portion of the site to R-4; the purpose of that reclassification request had been to permit the density allowed by the R-3 and R-4 zoning of the property to be distributed over the entire site. He remarked that crooked boundaries between zoning districts are quite common in San Francisco; and he had never heard of the zoning boundaries having anything to do with street frontages. If the subject application for reclassification of the property downward from R-4 to R-3 were approved, a precedent would be established which would be most distressing both to property owners and to realtors alike.

Pat Connolly, representing C & O Construction, stated that he had been a builder for the past seven years and that he was quite familiar with the cost of land in San Francisco; and, if the subject application were to be approved, he wondered what guarantee could be given to purchasers of property that the same thing will not happen in the future. He felt that it would definitely be unfair to re-zone a property downward after it had been purchased in good faith.

Jack Lagoria, a realtor and a contractor, stated that he had been in the building business for 25 years; and, as a result, the Commission's decision regarding the subject application would be of vital interest to him. While residents of the neighborhood had suggested that the number of units in the proposed building could be reduced and that the owner of the property would suffer only a little financial hardship, he felt that the fact of the matter was that no building could be constructed on the property if only 10 units were to be allowed. He saw nothing wrong with speculation since he earns his livelihood from it; and he believed that every new project undertaken in San Francisco is probably speculative to some extent. If the residents of the subject neighborhood were concerned about the zoning of the property, they should have acted before the property was sold; however, since they had chosen to wait until Mr. O'Neill purchased the property before seeking more restrictive zoning, he felt that they should compensate him for his financial loss if the application were to be approved.

Mr. Whelan, representing Dareway Construction Company, pointed out that the building which the owner of the property proposed to construct on the site would have one parking space for each dwelling unit; and he remarked that the proposed building would be better than many other buildings in the neighborhood in that respect. Furthermore, if the subject application were to be approved, all of the contractors in the city would be affected.

Another gentleman in the audience felt that the application should not be approved since it would establish a precedent.

Mike McEvoy, representing McEvoy Construction Company, felt that the property should not be re-zoned to R-3.

John Maloney, representing the Maloney Construction Company, stated that he does not buy property for speculative purposes; and he indicated that he would be quite disturbed to wake up some morning and find that some property which he had purchased with R-4 zoning had been re-zoned to R-3.

Mike Cafferkey, representing Cafferkey Construction Company, stated that he was opposed to the request of the applicants.

Paul Belk, representing D & B Construction, remarked that an issue had been made about the fact that the boundary line between the R-3 and R-4 districts had made a jog to include the subject site; but he pointed out that the southern boundary line of the City and County actually passes through homes.

Mr. Choppelas introduced Tony and Allan Kamakis, owners of a painting firm; Ron Stehle of the Stehle Electric Company; Audrey Wilson, an apartment house owner; Jack Kavanagh, an apartment house owner; and Julius Bathe, a property owner within a 300-foot radius of the subject site. He informed the Commission that all of those people present were in opposition to the subject application.

Mr. Steele stated that the subject application had been submitted by 23 individuals, 16 of whom own property within a 300-foot radius of the subject site and all but one of whom owns property in the subject block. He remarked that most of the testimony given in opposition to the subject application had been based on economics; and he did not feel competent to review and comment upon that aspect of the case. His principle concern was one of zoning. While he was not particularly bothered by the fact that property and zoning lines were not congruent in the present instance, he noted that the R-4 zoning district is designed for couples and single people whereas the R-3 zoning district is designed for families; and he noted that the Richmond District is developed primarily for families; from 18th or 19th Avenue to 30th Avenue. The northern portion of the subject property had been given R-4 zoning in 1960 because it was then part of a larger lot which had frontage on Geary Boulevard; however, at the present time, the property fronts solely on 30th Avenue. Given that fact, reclassification of the property to R-3 would re-establish a pattern which is typical all along Geary Boulevard, of having R-4 zoning for properties fronting on Geary Boulvard, and R-3 zoning for properties fronting on the Avenues which run north and south. Furthermore, since the R-4 properties along Geary Boulevard have not been developed to the permitted intensity, it appeared that no public purpose would be served in retaining the R-4 zoning classification for the northern portion of the subject lot. He remarked that most of the properties along 30th Avenue are developed principally with one- or two-family dwellings; and he noted that all of the properties on the subject block have required rear-yard areas. Since the R-4 zoning classification would

allow greater density and coverage of the site and since it would allow the rear-yard area to be used for parking, it would not encourage development which would be compatible with the rest of the neighborhood. Under the circumstances, he recommended that the application requesting the reclassification of the northern portion of the subject lot from R-4 to R-3 be approved.

Mr. O'Neill, owner of the subject property, emphasized that the property had been zoned R-4 and R-3 when it was purchased; and he stated that he had been interested in the property only because of its zoning. He informed the Commission that he had worked hard as a hod-carrier to earn his money; and in investing $51,000 in the subject property, he had placed reliance in the zoning of the site. He had discussed his plans with residents of the neighborhood, and they had advised him that they would prefer a single four-story building instead of a combination of a 6-story building and a 4-story building; and, as a result, he had attempted to obtain zoning for the site which would have made such a project possible. Under the circumstances, he felt that he had been a "good Joe" in attempting to modify his plans to satisfy residents of the neighborhood; and the process had already cost him between $7,000 and $9,000 for fees and plans, not to mention the cost of his own time. Under the circumstances, he hoped that the Commission would disapprove the subject application.

Commissioner Ritchie asked when construction would begin on the site. Mr. O'Neill replied that he had expected to obtain approval of his building permit application last week; but the application had been canceled. If he were to proceed with construction of two buildings, one being four stories in height and the other being six stories in height, construction could not begin for approximately six months.

Commissioner Ritchie remarked that the property at present is in a disreputable shape; and he asked if the property would be cleaned up prior to construction. Mr. O'Neill replied in the affirmative.

Commissioner Ritchie stated that he did not find the sketch of the proposal for the two buildings to be very attractive, and he wondered if trees would be planted in front of the site. Mr. O'Neill replied in the affirmative. In response to a further question raised by Commissioner Ritchie, Mr. O'Neill stated that he would seek both architectural and engineering help in the design of the buildings.

Commissioner Fleishhacker asked how much money Mr. O'Neill would lose if the subject application were approved. Mr. O'Neill estimated that he would lose approximately $30,000.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter that the subject application be disapproved.

Commissioner Porter stated that she had served on the Commission when the new Zoning Ordinance was adopted in 1960. At that time, the Commission had held meetings at every school in San Francisco; and people from the neighborhoods were invited to discuss the proposals of the Commission before they were adopted. She recalled that residents of the subject neighborhood had preferred R-3 zoning for their property in spite of the fact that the development of the neighborhood is primarily R-2 in character. If the staff of the Department of City Planning were now of the opinion that the neighborhood should be zoned at a lower density, she felt that the staff should initiate re-zoning for the entire neighborhood on its own initiative; but she did not feel that a single parcel of property should be down-graded separately since the result of such an action would be that builders would no longer have faith in the integrity of zoning.

Commissioner Fleishhacker asked if there is any possibility that a four-story building could be constructed on the site instead of the combined six and four-story buildings. Mr. Chopellas replied that reclassification of the southern portion of the site to R-4 could not be requested again for another year since the previous application had been disapproved; however, he felt that it might be possible to obtain permission for the four-floor building on the basis of a zoning variance.

Mr. Steele stated that such a use variance would be illegal.

Commissioner Fleishhacker stated that he felt that the four-story building would be preferable; and he wished that there were some way by which it could be accomplished. While he agreed with Mr. Steele that R-3 zoning would be more appropriate for the site, he did not intend to be responsible for taking away $30,000 from Mr. O'Neill or from anyone else; and, for that reason, he intended to vote for disapproval of the application.

Commissioner Ritchie, noting that the property owned by Mr. O'Neill is designated as one lot, asked if the R-3 and R-4 portions of the subject site could be sold separately. Mr. Steele replied that he believed that the lot could be legally subdivided.

When the question was called, the Commission voted unanimously to adopt Resolution No. 6529 and to disapprove the subject application.

The meeting was adjourned at 6:40 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, May 14, 1970.

The City Planning Commission met pursuant to notice on Thursday, May 14, 1970, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: James S. Kearney, President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, and Mrs. Charles B. Porter, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President, and John Ritchie, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Samuel Jung, Planner IV; Peter Svirsky, Planner IV - Zoning; Marie Carlberg, Planner III; Edward Michael, Planner III; and Lynn E. Pio, Secretary.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that the recommendations of the Finance Committee of the Board of Supervisors regarding the Department's budget for the next fiscal year were made known on Monday. The Committee deleted the two new positions which had been approved by the Mayor (Planner III - Community Planning Specialist and Planner III - Engineering), reduced the travel account from $2,000 to $1,000, deleted $5,000 from the printing account which would have been used for publication of the new Comprehensive Plan, and deleted all equipment with the exception of a replacement automobile. The total amount of the budget will now be $960,100.

The Director advised the Commission that the Board of Supervisors, meeting on Monday, had approved the height limits which had been recommended by the Commission for Ocean Beach. At the same time, the Board adopted a resolution requesting the City Planning Commission to reconsider the desirability of a 20-40 foot height limit for the Cliff House-Sutro Baths area.

The Director stated that the Board of Supervisors had also adopted a resolution recognizing and affirming the Landmarks Preservation Advisory Board as the official agency of the City and County of San Francisco for all matters dealing with historic preservation. The resolution also recognized and accepted the Junior League's survey and inventory of historic structures as the official city-wide survey and inventory of historically and architecturally interesting buildings.

The Director reported that the city-wide Comprehensive Plans Committee of the Commission had met last Friday to review a draft of the Housing Policies Report and had authorized the staff to proceed with publication of the report.

The Director advised the Commission that the Planning and Development Committee of the Board of Supervisors, meeting next Tuesday, is scheduled to discuss a proposed resolution calling for implementation of the shoreline element of the South Bayshore Study prepared by the Department of City Planning, and authorizing City and County agencies and officials to explore sources of financial assistance available for implementation thereof.

R70.32 Revocable Encroachment Permit for courtyard, wall screen and stairway, Lot 10, Block 2933, Edgehill Way

Samuel Jung, Planner IV, reported on this matter as follows:

"Edgehill Way is a narrow, wooded street which makes its way up a small hill north of Portola Drive. The single-family houses are generally rustic in character and the area is zoned R-1-D. The right-of-way is 40 feet wide, but the roadway averages 16 feet wide, leaving 12-foot wide borders in sidewalk area, some of which have narrow paved sidewalks and others not, according to the terrain. It is a fee street but the roadway has never been accepted by the City for maintenance.

The applicant has under construction a large single-family house on the lot at the hairpin turn on Edgehill Way. He obtained a revocable permit in 1965 to construct a fence which would have enclosed a certain amount of sidewalk space, not, however, improved with a sidewalk, varying in width up to 11 feet. The fence was to have been of redwood stakes, approximately 7 feet high, similar to a fence at a house he owns on the adjoining lot. About a year ago the neighborhood became alarmed when forms were erected for a concrete wall about 12 feet high along the line where the fence had been approved.

The applicant has since modified his plans so that a much smaller area would be enclosed, on only one side of the lot. A stairway, a patio and a parking space would encroach almost 8 feet into the sidewalk area at one point, along with a retaining wall varying in height because of the slope but averaging about 2 feet high, topped by an open metal screen fence 7½ feet high. The combined wall and fence are 12 feet high at the highest point. The Art Commission has approved the plans.

Other encroachments which have been approved by the Board of Supervisors include two parking decks partially in the sidewalk area, necessitated by the difficult terrain and two other fences, one on the applicant's property to the north of Lot 10 and another on the lot north of that; both of these extend close to the roadway and are rustic wooden fences. There are no doubt a number of "informal" encroachments of a minor nature elsewhere along Edgehill Way."

At the conclusion of his report, Mr. Jung advised the Commission that revised plans had been submitted earlier in the day by the applicant which would

further reduce the amount of the proposed encroachment.

The Director remarked that the basic principle involved was the enlarging of the usable area of a private parcel of property by use of the public street area. He felt that the dwelling could have been designed differently so that the open space would not need to project into the sidewalk area; and, even as designed, the house would not necessitate an encroachment into the sidewalk area. In fact, the only purpose of the encroachment would be to enlarge the applicant's patio area. Under the circumstances, he recommended that the proposed revocable encroachment permit be disapproved as in conflict with the Master Plan.

Robert Arrigoni, architect for the applicant, noted that an encroachment permit had been granted in 1965 which would have allowed his client to build within three feet of the curb line of Edgehill Way. Later, it was learned that the permit would not apply to the construction of a concrete wall; however, by that time, most of the installation had been completed. Nevertheless, revisions were made in the plans; and, after intensive consultation with the Art Commission, the revised plans had been approved by that agency. It had been his understanding that the project could proceed once permission had been granted by the Art Commission; however, it now appeared as if the City Planning Commission, also, would have to give its approval to the plans.

Mr. Arrigoni remarked that the house which is being constructed by his client is quite large; and he indicated that residents of the neighborhood had objected to the structure both because of its size and for other reasons. The neighbors had also objected to the request for an encroachment permit on the basis that the encroachment would impede sight-lines and create a hazard both for vehicular traffic and for pedestrians. With regard to the pedestrian question, Mr. Arrigoni remarked that there are very few sidewalks along Edgehill Way; and he noted that his client proposed to provide more sidewalk space than has been provided in front of other properties in the area. The design of the patio and its use of the public right-of-way seemed to him to be compatible and in harmony with the character of the neighborhood; and, since it would be possible to see through the fence into the patio, everyone in the neighborhood would have the advantage of being able to enjoy the area visually. Furthermore, the majority of properties on Edgehill Way have some sort of encroachment into the public right-of-way; and, in most cases, permits have not been requested of or granted by the Board of Supervisors for those encroachments. Under the circumstances, he could not understand the rationale behind the Director's recommendation of disapproval for the encroachable permit.

Commissioner Fleishhacker asked if the original encroachment permit which had been granted in 1965 had authorized the construction of a wooden fence and nothing more in the public right-of-way. Mr. Arrigoni replied in the affirmative.

Mr. Fleishhacker asked if the original encroachment permit had been abandoned. Mr. Arrigoni replied in the negative.

Mr. Jung stated that he had been advised by the Controller's Office that morning that the original encroachment permit had been declared void because the insurance carried by the applicant had been allowed to lapse.

Mr. Arrigoni pointed out that an adjacent parcel of property has an encroachment into the public right-of=way; and, if the subject application requesting a tapering encroachment were to be approved, it would provide a smooth transition between existing encroachments and the natural width of the street.

Commissioner Porter stated that she has been attending meetings of the Art Commission; and she indicated that the Art Commission had spent a great deal of time reviewing and modifying the applicant's plans for use of the street area. Therefore, if the encroachment permit had to be approved by the City Planning Commission, she felt it should have come before this Commission first in order to save both the Art Commission and the applicant from wasting a great deal of time modifying plans which might not be meaningful if the encroachment permit is not granted.

The Director agreed with Commissioner Porter that the permit application should have come before the City Planning Commission before being considered by the Art Commission; however, since that procedure had not been followed, he felt that the fact that the plans had been approved by the Art Commission should not influence the City Planning Commission's decision regarding the desirability of the proposed encroachment. He emphasized that it would be possible for the applicant to provide both an entrance and a fence on his own property without requiring use of the public right-of-way; and, while other property owners in the area may encroach on the public right-of-way, he believed that the majority of those encroachments had resulted out of necessity. He agreed that the proposed encroachment might enhance both the residence being built by the applicant and the neighbor hood; however, he felt that any building could be enhanced by the addition of public property. If everyone were to take that approach, the end result would be that we would have no public rights-of-way.

Mr. Arrigoni emphasized that other properties in the area have encroached into the public right-of-way in principle or in fact; and, under the circumstances, he did not understand why his client's request should be disapproved in principle. While he agreed that encroachment into the public right-of-way might be in conflict with the Master Plan under ordinary circumstances, he felt that the Master Plan should take particular situations into consideration; and, in that regard, he regarded the situation on Edgehill Way as being unique.

Commissioner Mellon asked Mr. Arrigoni if he agreed with the Director that use of the public street area would benefit the private property. Mr. Arrigoni replied in the affirmative, noting that the approval of the encroachment permit would allow his client to have a larger patio; and, since his client has seven small children, a large patio would be necessary to provide a place to play.

Commissioner Mellon asked if other houses along Edgehill Way make use of the public street right-of-way to the same degree. Mr. Arrigoni replied in

the affirmative and advised the Commission that in some cases the houses themselves encroach into the street area. He stated that he had found a total of 18 encroachments along the street, most of which had been effected without a permit.

Commissioner Fleishhacker, referring to site plans which had been filed with the subject application, asked if the house being constructed on the property would cover almost all of the site. Mr. Arrigoni replied in the affirmative, remarking that the proposed patio would provide the only usable open space on the site.

Commissioner Fleishhacker remarked that construction of the patio would not depend upon approval of the encroachment permit; however, if the permit were granted, what would have been a large patio would become even larger.

Bernard Alpert, 191 Edgehill Way, did not agree with Mr. Arrigoni that the granting of the requested encroachable permit would benefit the neighborhood. He displayed a photograph which he had taken of the forms which had been used for the concrete fence which had previously been erected around the site and which had been removed after residents of the area had protested; and he indicated that the plans which had been submitted with the application did not make it clear how high the fence now being proposed would rise above the ground. He pointed out that the subject property is located on a hairpin turn; and he stated that he had calculated that two cars travelling at a speed of 10 miles an hour towards each other on the street would have only three seconds to stop after seeing each other; and, if the encroachment proposed by the applicant were allowed, the situation would vecome even more dangerous. He stated that he and other residents of the neighborhood had attended five or six public hearings to discuss the proposed encroachment; however, the applicant had never bothered to meet privately with residents of the area to discuss the project. He stated that he had no objection to the house being constructed if it were to be restricted to the applicant's own property; but, because of the factor of safety, he would object to use of the public right-of-way for any portion of the structure.

Another resident of the subject neighborhood stated that the applicant had previously obtained permission to construct a fence in the public right-of-way; however, when construction was begun, the fence turned out to be a wall instead.

A second woman present in the audience remarked that the Art Commission had been concerned only with the aesthetics of the proposed encroachment whereas the responsibility of the City Planning Commission was to determine whether the encroachment would be in conformity with the Master Plan.

Commissioner Porter stated that the Art Commission would be able to control the development if the permit were granted whereas it would have no control whatsoever if the stairway and fence were to be constructed on private property.

The last speaker remarked that practically all the properties on Edgehill Way encroach into the street area out of necessity so that people can get into their driveways and into their houses. She pointed out, however, that most of the houses had been built approximately 35 years ago; and, at that time, they were probably in conformance with the Building Code which existed at that time. She, also, wished to know how high the fence being proposed would be at its highest point.

Mr. Arrigoni stated that the highest point of the fence would be ten feet above the ground.

After further discussion it was moved by Commissioner Fleishhacker and seconded by Commissioner Finn that the encroachment permit be disapproved.

Commissioner Fleishhacker remarked that it was obvious that the stairway and fence could be built on the applicant's own property; and, while some advantage might accrue to the applicant if use of the street area were authorized, it would not be feasible to allow all property owners to make use of the public right-of-way merely because they would like to have more property. The patio could be built on the private property in any case; and, since it would have dimensions of approximately 16' by 40', he felt that it should be adequate for seven children.

Commissioner Mellon remarked that the Commission might be discriminating against the applicant if it disapproves the permit application since practically everyone else on the street encroaches into the public right-of-way. Under the circumstances, he felt that he would like to take a field trip to the site before voting on the matter.

Commissioner Porter stated that she, also, would like to see the site before voting on the issue.

Commissioner Finn stated that he had already seen the site; however, he would like to have an opportunity to find out if other property owners in the area are in fact encroaching in the street area.

The Director felt that it would be desirable for the Commission to see the site before taking action on the subject application.

After further discussion, the previous motion and second were withdrawn. It was then moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that further consideration of the subject application be scheduled for the Commission's regular meeting on May 28, 1970.

R70.35 Mini-park program.
Acquisition of Lot 91, Block 3730, southwest corner of Langton and Howard Streets, and

R70.36 Mini-park program.
Acquisition of Lots 29 and 30, Block 1053, south side of Bush Street between Broderick and Baker Streets.

Samuel Jung, Planner IV, reported on this matter as follows:

"After consideration of a number of possible sites and their rejection for a number of reasons, Lot 91, Block 3730, a parking lot at the southwest corner of Langton and Howard Streets between Seventh and Eighth Streets, has been accepted as a mini-park site by the South of Market Park Committee. The lot is 75 by 125 feet and is located in a block which has a number of residential buildings on the interior streets. It is zoned C-3-S. This mini-park will come under the HUD open space grant.

Lots 29 and 30, Block 1953, in the middle of the block on the south side of Bush Street between Broderick and Baker Streets, provide a level site 57.5 by 137.5 feet. This is a neighborhood of old flats, zoned R-3. This mini-park will be financed from a Bureau of Outdoor Recreation (Department of the Interior) grant of $399,640 for which the City is providing matching funds. Eleven sites are to be acquired under this grant, and will be developed along with nine other sites already owned by the City."

The Director recommended that acquisition of both sites be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the acquisition for the mini-park program of Lot 91, Block 3730 at the southwest corner of Langton and Howard Streets, and Lots 29 and 30, Block 1053 on Bush Street between Broderick and Baker Streets, is in conformity with the Master Plan.

At 3:10 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:20 p.m. for hearing of the remainder of the agenda.

3:20 p.m. - Room 282, City Hall

PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CITY PLANNING CODE CONCERNING SIGN COPY CHANGES, ON MARKET STREET AND CITY-WIDE

Peter Svirsky, Planner IV - Zoning, reported on this matter as follows:

"These amendments were initiated in connection with the adoption of the special sign district for Market Street last month. At that time Supervisor Mailliard and some other members of the Board expressed concern as to what they referred to as a "loophole" in the adoption ordinance.

This "loophole" is the possibility that some billboards on Market Street, especially those on rooftops, might remain beyond the 1973 deadline if they were changed to designate a business on the property and continued to be repasted as billboards. The staff indicated to the Board that this did not seem a serious possibility, but that if the Board asked to have an amendment considered it would of course be presented to the Commission.

Such a request was made by the Board, and a hearing was scheduled at which the Commission can consider this problem as it applies to Market Street. The notice has been so written that the Commission can also consider the problem as it applies city-wide, since the provision in question has general application under the sign ordinance and is not confined to Market Street. Mailed notice has been given to all those who showed an interest in the earlier Market Street ordinance hearings, and also to the Department's regular text amendment mailing list.

The staff has concluded that the point raised by the Board could indeed be a problem on Market Street in certain cases. It is worth noting that the problem was first suggested by the billboard firms themselves, who argued before the Planning and Development Committee of the Board that if such changes to business sign copy were allowed the ordinance discriminated unfairly against general advertising signs. Discussions since then have disclosed that some businesses on the street might indeed wish to but these billboards and convert them. An amendment would cut off this possibility, and also remove any inequity from the ordinance. The change can be accomplished by amending the Market Street Special Sign District to prohibit changing a general advertising sign to any other type of sign unless the changed sign conforms to all the requirements of the Planning Code.

The staff has also considered the city-wide problem of copy changes. The "loophole" just described is actually contained in a long-standing section of the sign ordinance, Section 604(f), which allows copy changes for signs the customary use of which (as in the case of billboards) involves frequent and periodic changes of copy. This provision does not permit changes from business signs to general advertising signs in areas where the latter are prohibited, but it does allow billboards to be changed to business sign copy.

Such changes were not within the intent of this section when it was adopted in 1965. An amendment to clarify the section and prevent the copy changes now allowed would be appropriate. Such an amendment would modify the first sentence of Section 604(f). The staff also considered whether further changes in this section would be appropriate, but after discussion with the Implementation Committee of the Commission further changes are not being recommended.

The action preferred by the staff is amendment of the first sentence of Section 604(f) to cure the copy-change "loophole" city-wide. Such action would cover Market Street as well as the rest of the city. Nevertheless, because the Board of Supervisors' request was confined to Market Street, it seems advisable that a simpler Market Street amendment be sent to the Board as well, so that the Board may consider that alternative. With two separate amendments before it, the Board could adopt either one without referral back to the Commission.

The ordinance language for these two alternative amendments is as follows, with the added language underlined:

ALTERNATIVE NO. 1: MARKET STREET ONLY

Amend Section 608.8(b) to read as follows:

(b) General advertising signs. Except as specified in paragraph 608.8(f)2 below,

1. No general advertising sign shall be permitted at any location within said special sign district;

2. <u>No existing general advertising sign within said special sign district shall be changed to any other type of sign unless the changed sign would conform to all the requirements of this Code</u>; and

3. No general advertising sign shall be located within 200 feet of said special sign district, if any portion of a face of such sign would be visible from any point on a street, alley or plaza within the special sign district.

ALTERNATIVE NO. 2: CITY-WIDE

Amend Section 604(f) to read as follows:

SEC. 604. Permits and Conformity Required.

(f) A mere change of copy on a sign the customary use of which involves frequent and periodic changes of copy shall not be subject to the provisions of this Section 604, <u>except that a change from general advertising to non-general advertising sign copy or from non-general advertising to general advertising sign copy shall in itself constitute a new sign subject to the provisions of this Section 604</u>. In the case of signs the customary use of which does not involve frequent and periodic changes of copy, a change of copy shall in itself constitute a new sign subject to the provisions of this Section 604 if the new copy concerns a different person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry."

Bernard Averbuch, Executive Director of the Market Street Development Project, stated that his organization had been instrumental in bringing about the Market Street Sign Ordinance; and since the Board of Supervisors, which had adopted the earlier ordinance, had suggested the amendment now under consideration, his organization wished to support the amendment, also. He felt that it was obvious that the original ordinance does have "loopholes"; and he felt that it would be desirable if the proposed amendment could solve that problem.

Mrs. James Wiley represented Mrs. Reynolds of the California Roadside Council and Mrs. Klussmann of San Francisco Beautiful who wished to be shown on the record as being fully in support of the proposed amendment.

Elaine Sundahl, representing the Potrero Hill Residents and Home Owners Council and the Greater Mission Citizens Council, stated that the organizations which she represented were in favor of the proposed amendment and that they would like to have an even tighter ordinance if possible.

Adrian Hazard, representing the San Francisco Council of District Merchants Associations, stated that his organization had originally opposed the Market Street Sign Ordinance because they felt that it would be an encroachment into the private affairs of merchants; however, they had later been informed that the ordinance would apply only to properties along Market Street. With regard to the amendments presently under consideration, his organization opposed the proposed ordinance language which would have city-wide effect.

Paul Huff, representing Foster and Kleiser, stated that his firm was not in disagreement with the basic objectives of the Market Street Sign Ordinance; and he indicated that they were willing to cooperate in achieving those objectives. However, the person who had represented his firm before the Board of Supervisors had called attention to "loopholes" in the proposed ordinance to point out that different standards were being established for permanent signs and for general advertising signs. His own position was that the Sign Ordinance, if indeed necessary to protect public and private investments being made on Market Street, should have been designed to treat all ugly signs the same whether they be general advertising signs or business signs. Mr. Huff also remarked that the Market Street Sign Ordinance allows only a three-year amortization period for billboards; and, since his firm felt the terms of the Ordinance in that regard were quite harsh, they had requested that a more reasonable schedule be established for removal of billboards. In conclusion, Mr. Huff stated that he did not believe that the proposed amendment presently under consideration would solve the "loopholes" in the Market Street Sign Ordinance.

Commissioner Fleishhacker remarked that the length of the amortization period for billboards on Market Street had already been decided by the Board of Supervisors; and, therefore, it was not an issue which could properly be discussed by the City Planning Commission at this point. He also remarked that he was not clear as to Mr. Huff's position regarding the amendment presently under consideration.

Mr. Huff replied that the proposed amendment had arisen out of comments which had been made by his predecessor in front of the Board of Supervisors as part of an argument directed towards achieving a longer amortization period for billboards. He stated that his firm still took the position that the amortization period should be extended; however, they did not wish to place themselves in opposition to the basic principles of the ordinance.

Commissioner Fleishhacker asked Mr. Huff if it was his position that all signs that identify businesses along Market Street should be removed. Mr. Huff stated that he did not wish to go to that extreme; however, he felt that the ordinance would be unfair in that it would allow certain signs to remain while others would have to be removed. He felt that any standards which are established should apply uniformly to all signs.

Kamini Gupta, speaking both as an individual and as a representative of the Marina Merchants Association, stated that he did not wish to take issue with alternative #1 which applies only to Market Street; however, he wished to speak bitterly in opposition to alternative #2 which would have a city-wide effect. He remarked that when the Sign Ordinance was first proposed, he and others had regarded it as anti-business, anti-sign, and anti-advertizing; and, as a result, Section 604(f) had been included in the Ordinance as a compromise to exempt copy changes on signs from control by the City Planning Code. He continued to feel that the copy of a sign should be subject to no control by government; and, for that reason, he opposed adoption of the city-wide amendment presently being considered by the Commission. He emphasized that Section 604(f) had been adopted as a compromise and that it was not a "loophole"; and, for that reason, he believed that amendment of the Ordinance as recommended by the staff of the Department of City Planning would be a violation of the agreement which had been made previously.

Gertrude Barnett, 1515 Broadway, advised the Commission that the most conspicuous violation of ethics on the part of the billboard companies had existed in the billboard which had been located in a parking lot on the south side of Broadway between Van Ness Avenue and Polk Street. The billboard, which had been erected right next to her building, had finally been removed; but another one which is equally bad still remains in the block. Under the circumstances, she felt that any sign controls established for Market Street should apply to the 1500 block of Broadway, also.

After further discussion, it was moved by Commissioner Mellon and seconded by Commissioner Fleishhacker that alternative #1 adding new language to the City Planning Code which would affect Market Street only be adopted.

Commissioner Fleishhacker stated that he was still confused by the arguments which had been made in behalf of Foster & Kleiser. He wondered if the Market Street Sign Ordinance would allow identifying business signs to be constructed which would be comparable in size with billboards; and, if so, he wondered if there was in fact some unfairness in the Ordinance.

Mr. Svirsky replied that the Market Street Sign Ordinance would allow large business signs to be constructed; however, limitations would be placed on the location of such signs. He stated that the Market Street Sign Ordinance is similar to ordinances which are in effect in many other cities relating to billboards; and, for that reason, he did not believe that it would be discriminatory.

Commissioner Porter asked if the Market Street Sign Ordinance would allow wall signs and roof top signs advertising businesses located on the street to remain for their natural life. Mr. Svirsky replied in the affirmative. He remarked, however, that the staff of the Department of City Planning was confident that further efforts would be made privately to obtain better control and design of signs on a voluntary basis.

Commissioner Fleishhacker remarked that a political sign had been installed illegally on Market Street; and he wondered if the Department of City Planning had taken an enforcement action against that sign. Mr. Svirsky replied that the matter of the illegal sign had been sent to the City Attorney for action.

After further discussion, the question was called and the Commission voted unanimously to adopt Resolution No. 6530 approving alternative No. 1 which would apply to Market Street only.

Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that Resolution No. 6531 be adopted and that alternative #2 which would have a city-wide effect be approved.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CITY PLANNING CODE CONCERNING SIGNS HIGH ON BUILDING WALLS

Peter Svirsky, Planner IV (Zoning), reported on this matter as follows:

"These amendments, to restrict or prohibit placement of signs high on building walls throughout San Francisco, are recommended by the staff in response to increasing community concern about such signs.

The comprehensive ordinance adopted in 1965 contains a variety of provisions intended to prevent the unwarranted intrusion of signs upon views and the city skyline. These include height limits for free standing signs and prohibition of rooftop signs and signs viewed from freeways and nearby residential areas. There is no provision, however, that prevents the installation of signs high on building walls, contrary to the intent otherwise shown by the Planning Code. At present, a sign may be placed on a wall at any level up to the roof line. regardless of the height of the building.

of 140 feet, would prevail. Elsewhere in the city, of course, the limits of any special height district would prevail if they are more restrictive than the proposed height limits for signs.

The City Planning Code changes necessary to meet these objectives are as follows, with the added language underlined:

RESIDENTIAL DISTRICTS

Amend Section 606(a)4 to read as follows:

(a) General provisions for all signs:

4. No sign shall extend above the roof line of a building to which it is attached, <u>or above a height of 40 feet, whichever is the lesser</u>.

COMMERCIAL AND INDUSTRIAL DISTRICTS

Amend Section 607(g) to read as follows:

(g) Height and extension above roof line.

1. Signs attached to buildings. No sign attached to a building shall extend or be located above the roof line of the building to which it is attached; except that up to one-half the area of a business sign attached to the street wall of a building may extend above the roof line, up to the maximum height permitted for free standing signs in the same district of 10 feet above the roof line, whichever is the lesser. <u>In addition, no sign attached to a building shall under any circumstances exceed the following maximum heights:</u>

<u>In C-1: 40 feet;</u>
<u>In C-3: 100 feet;</u>
<u>In all other C and M districts: 60 feet.</u>

<u>The 100-foot height limitation stated herein shall not apply to signs located within 200 feet of the park known as Union Square and facing said park</u>."

Elaine Sundahl, representing the Potrero Hill Residents and Homeowners Council and the Greater Mission Citizens Council, stated that many organizations had not received notice of the subject hearing in sufficient time to acquaint themselves with the proposals being made by the staff of the Department of City Planning; and, for that reason, she felt that it might be desirable for the Commission to defer action on the proposals until a later date.

Robert Hersey, representing the Northern California Chapter of the American Institute of Architects, informed the Commission that his organization had taken a strong position in favor of the proposed ordinance since they believe that signs need not be located high on building walls. He acknowledged that it is possible to design high signs aesthetically; however, the basic fact is that such signs are used not so much for identification as for advertising. Furthermore, with an increasing number of high signs, it would become increasingly difficult to design these signs aesthetically; and, as a result, these signs would probably become larger and brighter and inevitably ruin the integrity of San Francisco's skyline. He remarked that San Francisco has traditionally avoided construction of signs high on building walls; and, in some cases, such signs which have been constructed have been removed voluntarily. Yet, as more and more buildings are being constructed or occupied by people who come from out of town, the established tradition is beginning to be ignored; and, for that reason, he felt that adoption of the proposed ordinance presently under consideration would be desirable.

The Secretary called attention to written statements which had been submitted in favor of the proposed ordinance by Nicky Ostler, Chairman of the Potrero Hill Residents and Homeowners Council, by Michael Fischer, Assistant Director of the San Francisco Planning and Urban Renewal Association, and by Virginia Fusco, Secretary of the Marina Civic Improvement and Property Owners Association Inc.

Mrs. James Wiley advised the Commission that San Francisco Beautiful and the California Roadside Council wished to support the proposed amendment, also.

Ted Sauer, President of the Union Street Merchants Association, stated that he had not received the memorandum outlining the recommendations of the staff until earlier that morning; and he felt that the members of his organization would appreciate having an opportunity to explore the proposal in depth before making a decision in favor of or in opposition to the proposed amendment. While the proposed amendment would prohibit signs high on building walls, it would not govern the lowest point to which a sign may extend on a one-story residential or commercial building. He stated that Union Street has many one-story buildings of historic value which have signs which extend clear to the ground; and he felt that it would be desirable if the City Planning Code could be amended to prohibit such signs. Under the circumstances, he hoped that the Commission would defer action on the proposed amendment to allow the proposal to be studied by the Sign Ordinance Committee of his organization.

No one was present to speak in opposition to the proposed amendment.

Commissioner Mellon asked if the proposed amendment would affect signs such as the one which has been installed at the top of the Mutual Benefit Life Building. The Director replied in the affirmative, indicating that the proposed amendment would prohibit construction of such signs in the future. He emphasized, however, that the effect of the amendment would not be retroactive.

The Director remarked that San Francisco has been relatively free of signs located high on building walls; and he regarded the city to have been very lucky in that regard. He believed that the position which had been taken by the American Institute of Architects was sound; and he felt that the statements which had been made by Mr. Hersey should be given special attention by the Commission. While high signs have been relatively rare in the past, he expected that there would be a considerable increase in the number of such signs being requested in the future if the proposed ordinance were not adopted. He stated that such signs are usually proposed by people who do not live in San Francisco and do not know the history and traditions of the city; and he remarked that use of high signs is particularly common on hotels and on insurance buildings. While the representatives of two organizations had requested the Commission to delay action on the proposed amendment, no one had spoken in opposition to the proposal; and, since any delay in the adoption of the ordinance might allow new high signs to be constructed, he felt that it would be desirable for the Commission to take action on the proposal.

Commissioner Porter stated that she was sympathetic to the request which has been made to postpone action on the proposal; however, since additional high signs might be constructed if action on the proposal were to be deferred, she moved that the proposed amendment be approved. The motion was seconded by Commissioner Fleishhacker. When the question was called, the Commission voted unanimously to adopt Resolution No. 6532 and to approve the proposed amendments to the City Planning Code concerning signs high on building walls.

ZM70.15
ZT70.6 Public hearing on proposed amendments of the City Planning Code concerning the Northern Waterfront.
Change from 40 to 65-foot height district for northern portion of block bounded by Battery, Union, Front and Commerce Streets (Parcel A) and for the entire blocks bounded by Sansome, Lombard, Bettery and Greenwich Streets and by the Embarcadero, Greenwich and Battery Streets. (Parcel B).

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), advised the Commission that the Board of Supervisors, in passing the City Planning Commission's recommendation with respect to Planning Code text amendments and map changes for most of the Northern Waterfront area, had requested the City Planning Commission to give further study to the effects of raising specific height limits in two areas east of Telegraph Hill from 40' to 65'. The request had been made by the Board of Supervisors after the owners of the subject properties had protested the recommended height limits during the Board hearing. The owners had raised no objection when the matter was previously before the City Planning Commission for consideration, however. If the Commission should choose to modify the height limits applicable to either of the two subject areas, a change in the text of the City Planning Code would be required in addition to a zoning map change because the present boundaries for the various sections of the Northeastern Embarcadero Variable Special Height District are set forth under Sections 294.1-294.3 of the City Planning Code.

Mr. Steele advised the Commission that Parcel A is presently occupied by three buildings having heights of 33 feet, 40 feet, and 58 feet. The most westerly block of Parcel B is presently occupied by three buildings having heights of 56 feet, 34 feet, and 15 feet; and the easterly triangularly-shaped block in Parcel B is occupied by railroad tracks and a one-story restaurant. Given existing circumstances, the staff of the Department of City Planning was prepared to recommend that Lots 3 and 4 of Parcel A, which are currently occupied by buildings of 40 feet and 58 feet in height respectively, should be changed to a 65-foot height limit. With regard to the remainder of Parcel A and both of the blocks in Parcel B, the staff recommendation was for retention of the 40-foot height limit which will become effective May 17, 1970.

William F. Traverso, owner of Lot 3 in Block 111 (Parcel A), pointed out that his property is located directly across the street from the Icehouse which has a height considerably in excess of 40 feet. He stated that he had called that fact to the attention of the Planning and Development Committee of the Board of Supervisors; and, since they had agreed that some inequity might be involved in the situation, they had requested that it be reconsidered by the City Planning Commission. Since the staff of the Department of City Planning had recommended that his property be included in the 65-foot height limitation district, he hoped that favorable action would be taken on the request by the Commission.

George Devincinci, Vice President of the Merchants Ice and Cold Storage Company which occupies the most westerly block of Parcel B, stated that all of the other properties in the vicinity of his building are subject to 65- and 84-foot height limits. Under the circumstances, he did not feel that his property should be treated differently from others; and he hoped that the Commission would change the height limit on his property from 40 to 65 feet.

Robert Katz, 2 Whiting Place, felt that it was understandable that anyone owning property located on a boundary line between two height limit districts should wish to be treated the same as his neighbor; however, the sloping height-limit concept for the Northern Waterfront area had been worked out over a period of three years in an effort to preserve views from and to Telegraph Hill. While he realized that the request for reconsideration of the height limits on the subject properties had been made by the Board of Supervisors, he noted that the Board of Supervisors had not made a recommendation regarding the action to be taken by the Commission; and, since a change of the height limit on Parcel B would defeat the sight-line concept of the height limits which had been established in the Northern Waterfront area, he hoped that the change would not be approved. With regard to Parcel A, where the staff of the Department of City Planning had recommended that the height limit be changed to 65 feet for two lots, Mr. Katz indicated that his feelings were less strong. While he personally felt that a 40-foot height limit has no harmful effect on the value of property, he doubted that a greater height in that area would be detrimental to views from Telegraph Hill. Therefore, he was prepared to accept the staff recommendation for a change of height limit to 65 feet for those two parcels of property.

3-10-60

[illegible]

Mrs. Jean Kortum, representing the Protect Our Waterfront Committee, urged that the 40-foot height limit be retained for Parcel B. She noted that the owners of that parcel of property had never appeared before the City Planning Commission or the Board of Supervisors in opposition to the 40-foot height limit; and, under the circumstances, she saw no reason for changing the height limit at this point in time. While she would prefer to have the 40-foot height limit retained on Parcel A, also, she sympathized with the reasons given by the staff for changing the height limits on lots 3 and 4 in that block to 65 feet.

Mr. Devincinci advised Mrs. Kortum that he had appeared before the Planning and Development Committee of the Board of Supervisors in opposition to the 40-foot height limit being proposed for the Parcel B; however, he was not given an opportunity to speak until 6:45 p.m. when most of the audience had already left the room.

The Secretary read a letter from Mrs. Peter Morelli and Helen W. McCarthy, owners of property on the eastern slope of Telegraph Hill, in opposition to the proposed change of height limits.

Al Merrill, 15 Napier Lane, remarked that properties on Telegraph Hill have been subject to a 40-foot height limit for a long period of time; and he noted that action had been taken only recently to establish 40-foot height limits for properties located at the base of Telegraph Hill. Under the circumstances, he did not feel that the recently adopted height limits should be changed at the present time.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that Resolution No. 5533 be adopted and that both the zoning map and text changes which had been proposed be approved as recommended by the staff of the Department of City Planning.

PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CITY PLANNING CODE CONCERNING CONDITIONAL USE EXEMPTION FROM NORTHEASTERN EMBARCADERO VARIABLE SPECIAL HEIGHT DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that the Board of Supervisors had also requested the City Planning Commission to reconsider the language of Section 120.4 of the City Planning Code which provides for exceptions to specified height limits in the entire Northeastern Embarcadero Variable Special Height District by conditional use authorization procedures if a development consists of an area of over three acres. Section 120.4 of the City Planning Code also establishes additional criteria for such conditional use consideration by the City Planning Commission. That Section would be effective for a period of three years only, beginning with effective date of the Ordinance on May 17, 1970, and extending to May 17, 1973. Mr. Steele explained that the intent of Section 120.4 was to permit previous commitments by the Planning Commission and Board of Supervisors to be honored.

Critics of the specific wording of the Section who appeared before the Board of Supervisors had maintained that the language was too broad, would be subject to abuse, and would go further than the original intent of the Commission.

Mr. Steele stated that when language for Section 120.4 of the City Planning Code had originally been drafted, the staff of the Department of City Planning had been of the opinion that three years would constitute a reasonable period of time for honoring previous commitments made by the Commission and Board of Supervisors particularly since the same time period has applied to the duration of conditional use and other types of permits. The City Attorney's Office had advised that tighter or more restrictive language seeming to relate the provisions of Section 120.4 to specific property within the Northern Waterfront area would have been of questionable legality. For those reasons, the staff of the Department of City Planning recommended that the proposal for change of language in Section 120.4 of the City Planning Code be disapproved.

Robert Katz, 2 Whiting Place, explained that he was quite concerned about the language of Section 120.4 of the City Planning Code since it constituted a "loophole" which would jeopardize the sloping sight-line concept of height limits which had been established in the Northern Waterfront area by allowing owners of property in excess of three acres to request conditional use authorization for buildings exceeding the established height limits if such applications were to be filed within three years of the effective date of the ordinance. While he was not exactly fond of the International Market Center Proposal, he was not prepared to ask the Commission to renege on his previous commitments to the developer of that project; however, he did not understand why the language of Section 120.4 of the City Planning Code had to be so broad that it would extend the same priviledges to other property owners who might accumulate building sites in escess of 3 acres. In talking with Mr. Steele, he had first suggested that the language of the ordinance should except only those projects which had previously been approved; however, Mr. Steele had informed him that the International Market Center project had not been approved. He had then suggested that the Ordinance provide exceptions only for property owners who had obtained site permits; but he had been informed that the International Market Center had never requested such a permit. Finally, he had suggested exceptions be allowed only for a one-year period instead of the three-year period specified in Section 120.4 as adopted. He noted that the City's agreement with the Internationat Market Center would expire at the end of the year in any case; and, for that reason, he felt that the exception granted by the City Planning Code should also be limited to a one-year period. He believed that such language would be perfectly legal; however, if the Commission preferred not to act on the proposal without advice from the City Attorney's Office, he hoped that action on the proposal would be postponed.

Mr. Steele stated that it might be legally possible to reduce the time period for exceptions from three years to one year; however, the staff of the Department of City Planning had been of the opinion that a three-year period would be preferable since it applies in many other cases and since it had been upheld as reasonable by the courts.

The Director suggested that the Commission postpone action on the proposal so that the matter could be discussed further with the City Attorney.

Mrs. Jean Kortum, representing the Protect Our Waterfront Committee, suggested that the Commission might adopt a resolution stating its intention that the exception should be applied only to the International Market Center and to properties owned by the Port of San Francisco.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that further consideration of this matter be postponed until the meeting of May 21, 1970.

The meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, May 21, 1970.

The City Planning Commission met pursuant to notice on Thursday, May 21, 1970, at 1:00 p.m. at 100 Larkin Street

PRESENT: James S. Kearney, President; Mortimer Fleishhacker, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President; James K. Carr, and Thomas J. Mellon, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Edward I. Murphy, Assistant Director of Planning; Robert Passmore, Assistant Zoning Administrator; Samuel Jung, Planner IV; Edward Michael, Planner III; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Scott Blakey represented the San Francisco Chronicle.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the zoning hearing on June 4, 1970.

2:30 P.M. - 100 Larkin Street

R70.37 Neighborhood parking project, Union Street District, southeast corner of Fillmore and Filbert Streets.

Samuel Jung, Planner IV, reported on this matter as follows:

"The Parking Authority approved the proposed neighborhood parking site, at the southeast corner of Fillmore and Filbert Streets, on May 7, 1970. The site consists of four lots totalling 17,093 square feet capable of accommodating 53 cars in an open parking lot near the western end of the Union Street shopping area.

The two largest lots, Lots 27 and 28, are now occupied by a repair garage. Lot 26 on Fillmore Street is occupied by a real estate office and flats. These

three lots are in the C-2 zoning district. Lot 29 on Filbert Street is in the R-3 zoning district and is occupied by a non-conforming use, an oven and furnace contractor.

Various locations for a Union Street district parking facility have been under study since 1966 and have been reviewed by the staff of the Department of City Planning. The site selected satisfies the principles stated in the City-wide Parking Plan of the Transportation Section of the Master Plan. The Union Street Merchants Association has endorsed the site."

Commissioner Fleishhacker asked if Fillmore Street in the subject block is level. Mr. Jung replied in the affirmative.

The Director stated that the staff of the Department of City Planning had reviewed a number of alternate sites for the proposed facility with representatives of the Parking Authority and with merchants' groups in the subject neighborhood; and all of the other possible sites had been ruled out of consideration because they would have displaced a large number of people, because they were located in a residential zone, or because their location would not provide the best service for the area. Installation of the proposed parking lot on the subject site would remove two existing non-conforming uses; and, since there has been a long-standing agreement between the Parking Authority and the Department of City Planning to work jointly in preparation of final plans for such facilities, he believed that the proposed facility would be an asset to the area. Therefore, he recommended that acquisition of the subject property be approved as in conformity with the Master Plan.

Lewis Lindsay stated that he is a member of the transportation committee of San Francisco Tomorrow and a member of the San Francisco Citizen's Planning Committee; and he advised the Commission that many members of those organizations share his opinion that additional facilities for the automobile should not be constructed in San Francisco particularly when public funds are involved. He then asked about the assessed value of the subject property. Mr. Jung replied that the value of the property had been assessed at $51,400.

Mr. Lindsay assumed the City would pay approximately four times the assessed value for the property; and, at that rate, acquisition of the property by the City would be tremendously expensive. In view of the necessity for encouraging people to use public transportation instead of their own automobiles, he felt that the City should not be spending so much money for parking lots; and he hoped that the subject proposal would be disapproved by the Commission.

Commissioner Porter asked how many parking facilities are being contemplated for the subject neighborhood. Arthur S. Becker, Director of the Parking Authority, replied that two parking facilities are being considered for the neighborhood. The subject site would constitute the most westerly parking facility; and another parking facility would be proposed in the future for the eastern portion of the neighborhood.

Commissioner Fleishhacker asked if the proposed parking facility would be operated on a profit-making basis. Mr. Becker replied that the estimated income from the facility would be $100.00 per parking meter per year.

Commissioner Fleishhacker remarked that the estimated annual revenue of $5,200.00 from the subject site would not be sufficient to recover the investment of more than $200,000.00 which would be required to establish the facility. Mr. Becker confirmed that fact; however, he emphasized that the money for the proposed facility would come from the off-street parking fund at no expense to local taxpayers. Furthermore, he emphasized that such parking facilities are designed to be a convenience for the public rather than a source of revenue for the City.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that acquisition of Lots 26 through 29, inclusive, Block 533, at the southeast corner of Fillmore and Filbert Streets for a neighborhood shopping district parking project is in conformity with the Master Plan.

R70.38 Post Street, north line, between Market and Montgomery Streets. Change in official sidewalk width from 15 to 31.5 feet to accommodate BART entrance.

Samuel Jung, Planner IV, advised the Commission that BARTD has under construction an entrance to the Montgomery Street Station on the north side of Post Street between Market and Montgomery Streets. The entrance is within the present roadway of Post Street, adjacent to the present 15-foot sidewalk. In order to bring the entrance within the sidewalk area, the sidewalk will have to be widened to 31.5 feet. To compensate for the loss of roadway width, the traffic island bounded by Market, Post and Montgomery Streets will be reduced in size.

The Director, noting that the station entrance is already under construction, recommended that the proposed change in official sidewalk width be found in conformity with the Master Plan.

Commissioner Fleishhacker asked if it would be possible to remove the traffic island completely to compensate for the loss of roadway width. The Director replied that the traffic island serves as an important haven for pedestrians crossing the street; and, as a result, he felt that as much of the island as possible should be retained. He stated that the Transit Task Force had made every effort to have the BART station entrance relocated to Market Street; however, since BART had decided that such a relocation would not be possible, he recommended that the sidewalk narrowing project presently under consideration be approved.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the change in official sidewalk width on the north side of Post Street between Market and Montgomery Streets, from 15 up to 31.5 feet, is in conformity with the Master Plan.

R70.25 Mini-park program.
Acquisition of Lots 18 and 19, Block 7090, Randolph and Bright Streets.

Samuel Jung, Planner IV, stated that the two subject lots, both of which are presently vacant, have a total area of 3,750 square feet. Although the lots are zoned R-3, the neighborhood is primarily single-family residential with some multi-family buildings in the block to the east. Because of the topography of the area, and because of the neighborhood's large child population, he felt that use of the site for a mini-park would be a valuable addition to the neighborhood's recreation facilities. In conclusion, he stated that the site was included in the City's $250,000 open space grant from the Department of Housing and Urban Development.

The Director recommended that acquisition of both the subject lots for the mini-park program be approved as in conformity with the Master Plan.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the acquisition of Lots 18 and 19, Block 7090, for the mini-park program is in conformity with the Master Plan.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, recommended the adoption of a draft resolution which he had prepared to request a supplemental appropriation for the next fiscal year for three position reclassifications in the Department of City Planning. After discussion,

it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6534.

The Director then recommended the adoption of a draft resolution which he had prepared to authorize him to amend the Department of City Planning's contract with Whistler Patri Associates for urban design services in the vicinity of BART station areas. He stated that the contract had originally provided for urban design services for Market Street in the vicinity of the Church and Castro Street Transit Station areas; however, since the same consultant had been hired under separate contract by the Department of Public Works to plan the improvement of upper Market Street between the Central Freeway and Castro Street, including the transit station areas, he felt that the work under the Department of City Planning's contract should be directed to the West Portal and St. Francis Circle areas. After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6535.

The Director advised the Commission that the Planning and Development Committee of the Board of Supervisors, meeting on Tuesday, had recommended a "do pass" on a proposed resolution calling for implementation of the shoreline element of the South Bayshore Study prepared by the Department of City Planning and authorizing City and County agencies and officials to explore sources of financial assistance available for implementation of that element of the Plan.

The Director reported that a representative of the Open Space Action Group had been invited to make a presentation at next week's meeting regarding SB1400, which would establish a study commission similar to BCDC for preservation of open space in the Bay Area. The invitation was extended in response to a letter of request which was received by the Commission last week.

The Director informed the Commission that he may be absent from a portion of next week's meeting in order to be at a meeting of the Streets and Transportation Committee of the Board of Supervisors for a public hearing on the widening and realignment of O'Shaughnessy Boulevard.

ZM70.11 1343-45 7th Avenue, west line, 250 feet north of Judah Street.
R-3 to an R-4 District
(Under Advisement from Meeting of May 7, 1970).

Robert Passmore, Assistant Zoning Administrator, remarked that the subject application had been taken under advisement from the meeting of May 7, 1970, so that the applicant could prepare and submit a letter stating the exact terms under which the property would be developed if it were to be reclassified to R-4. During the interim, the applicant had also submitted revised plans for the proposed housing project which indicated that the building would have a depth of 54 feet from 7th Avenue instead of the 50-foot depth indicated on the original plans. Mr. Passmore noted that the staff of the Department of City Planning had previously recommended that the application be disapproved because the spot zoning being requested would be of doubtful legality; and he indicated that the recommendation of the staff remained unchanged.

The Secretary read a letter which had been received from two trustees of the 7th Avenue Presbyterian Church as follows:

"Recognizing the Commission's sincere concern over the use to which this property will be put if the requested rezoning is granted, Seventh Avenue Presbyterian Church, as owners of the parcels in question, declares as follows:

"1. The church has approved the sketch plans, as drawn up by Environmental Design Center, architects, for the construction of a 30-unit apartment building intended as low/moderate-income housing for elderly people under Section 236 of the National Housing Act. The plans referred to were displayed at your May 7th meeting, but also include typical floor plan drawings which were not displayed at that time.

"2. The church hereby stipulates that, in the event R4 zoning is granted, as requested, it will proceed with the project as already presented to the Commission, with financing to be arranged under Section 236 of the National Housing Act.

"3. The church hereby stipulates that, in the event R4 zoning is granted as requested, but the project, for any reason, cannot be proceeded with as described above, it will comply with any requirements that may be necessary to return the property to its present R3 category.

"4. If modifications in the plans that have already been presented should prove necessary or desirable, the approval of the Commission, or its staff, will be obtained before such modifications are made.

"It is understood that the foregoing declarations are made to satisfy a condition proposed by the Commission and that rezoning of this property, if approved, will be done by the Commission upon reliance of these declarations."

No one in the audience wished to comment on the subject application.

Commissioner Fleishhacker remarked that the statements which had been made in the letter which had been read by the Secretary constituted a moral commitment on the part of the applicants to act in a certain fasion; however, it was his understanding that the statements contained in the letter would not be lagally binding on the applicant.

Mr. Passmore confirmed that the statements made in the letter would not be legally binding on the applicants. He stated that it would be possible for the applicants to place such restrictions on the records of the land; yet, even those restrictions would have little legal status. If the proposed project were to come before the Zoning Adminstrator for a variance, conditions should be established at that time; however, in considering the subject application for reclassification of the property, the City Planning Commission could not legally establish any conditions pertaining to use of the land.

Commissioner Porter asked about the location of the nearest R-4 district. Mr. Passmore replied that the R-4 district nearest to the subject site is located north of Irving Street.

Commissioner Porter asked if many of those R-4 properties are vacant. Mr. Passmore replied in the negative. He indicated, however, that some of the R-4 properties are developed with non-conforming uses which will have to be phased out in the near future.

Commissioner Ritchie asked how many dwelling units would be permitted on the site under the present R-3 zoning as opposed to the R-4 zoning being requested. Mr. Passmore replied that 13 units would be permitted on the site with R-3 zoning, 16 units would be permitted under R-3.5 zoning, and 53 units would be permitted under the proposed R-4 zoning classification.

Commissioner Porter asked how many parking spaces would be provided on the subject site. Mr. Passmore stated that up to 24 parking spaces had been indicated for the site; however, since the majority of those parking spaces would have to be provided to meet the requirement of the adjacent church, it would appear that only 8 parking spaces would actually be available for the proposed housing units. Under the circumstances, the applicants would still have to seek a parking variance even if the reclassification to R-4 were to be approved.

Commissioner Porter acknowledged that there is a need for the type of housing being proposed; however, she felt that the density of the project would be out of character with the surrounding neighborhood. Therefore, she moved that the subject application be disapproved. The motion was seconded by Commissioner Ritchie. When the question was called, the Commission voted 3-1 to adopt resolution No. 6536 and to disapprove the subject application. Commissioners Fleishhacker, Porter and Ritchie voted "Aye"; Commissioner Kearney voted "No."

CU70.28 An L-shaped parcel of property consisting of:

1) 2829 California Street, south line, 110 feet west of Divisadero Street; and

2) 1933-35 Divisadero Street, west line, 110 feet south of California Street.

Request for an ambulance service building in an C-2 District.
(Under Advisement from Meeting of May 7, 1970).

Robert Passmore, Assistant Zoning Administrator, stated that the subject application had been taken under advisement from the meeting of May 7, 1970, to enable the staff of the Department of City Planning to prepare a draft resolution approving the application subject to specific conditions. He stated that the draft resolution had been prepared; and, after summarizing the 10 conditions which it contained, he recommended that the draft resolution be adopted and that the application be approved.

Commissioner Fleishhacker asked if the conditions contained in the draft resolution were acceptable to the applicant. Garo Dorian, architect for the applicant, replied in the affirmative.

Lewis Lindsay stated that he objected to facilities such as the one presently under consideration which would provide accommodations for automobiles.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6537 and that the application be approved subject to the conditions contained in the draft resolution.

ZT70.7 Proposed amendement to City Planning Code concerning conditional use exemption from Northeastern Embarcadero Variable Special Height District.
(Under Advisement from Meeting of May 14, 1970).

Robert Passmore, Assistant Zoning Administrator, stated that the Board of Supervisors had requested the City Planning Commission to consider amendments to Section 120.4 of the City Planning which would limit exceptions from the Northeastern Embarcadero Variable Special Height District to projects which had been approved previously by the City Planning Commission instead of allowing exceptions to all properties of three acres or more which might be accumulated within a three-year period following the date of enactment of the Height Limit Ordinance. At its previous hearing on May 14, the Commission had been advised that it was the opinion of the City Attorney that it would not be legal to limit the exemption to a single property owner. However, following discussion on that date, the Commission had requested the staff of the Department of City Planning to determine whether it would be possible to limit the effectiveness of Section 120.4 of the City Planning Code to a period of less than three years. During the interim, the matter had been discussed with the City Attorney; and, while the City Attorney had indicated that a time period of three years is standard in such cases, he had advised that stipulation of a shorter period of time would not necessarily be illegal. The staff of the Department of City Planning did not feel that reduction of the time limit from three years to one year would meet the original intent of the Commission in adopting Section 120.4 of the City Planning Code; however, the reduction of the time limit from three years to two years might be appropriate.

The Director stated that a draft resolution had been prepared for consideration by the Commission which would reduce the exemption period from three years to two years.

Commissioner Fleishhacker, remarking that the present language of the City Planning Code allows exemptions of the existing height limits to be requested within a three-year period dating from May 17, 1970 through May 17, 1973, asked what would have to occur during that three-year period in order for a property owner to take advantage of the exemption. Mr. Passmore replied that a conditional use application requesting an exemption from the existing height limits would have to be filed during that three-year period. Upon approval of the conditional use application, the Commission could establish a time limit for initiation of construction.

Commissioner Fleishhacker asked if detailed drawings and sketches would have to be submitted with the conditional use application. The Director replied in the affirmative. Commissioner Fleishhacker then asked about the amount of time which would probably be granted to the applicant before construction would have to begin on the approved project. Mr. Passmore replied that resolutions approving conditional use applications usually specify that construction must begin within three years.

The Director stated that he had received a telephone call from Mr. Kenealey of the City Attorney's office just prior to the start of this meeting in which he had been advised that litigation is still pending regarding the sale of streets in the Northern Waterfront area; and it was estimated that the litigation may not be finally determined for possibly 15 months. Under the circumstances, while a time limit of less than three years for the filing of conditional use applications requesting exemptions from the height limits might be legal, such a reduced time limit might fail to achieve the Commission's original purpose in establishing Section 120.4 of the City Planning Code because of the time required for the law suit.

Commissioner Fleishhacker doubted that the International Market Center, the project for which Section 120.4 of the City Planning Code had originally been adopted, would be damaged by a two-year time limit; however, it might be possible for some other developer to accumulate a parcel of property in excess of three acres for which an exemption from the established height limits could be requested.

The Director stated that the staff of the Department of City Planning felt that there was little likelihood that other three-acre parcels would be accumulated.

Robert Katz, 2 Whiting Place, stated that he was anxious to preserve the sight line concept which had been the rationale behind establishment of the 84-foot, 65-foot and 40-foot height limits in the Northern Waterfront area which provide that buildings shall become lower as they extend further from the base of Telegraph Hill. He stated that the only "loophole" in the height limits which had been established in the Northern Waterfront area is found in Section 120.4 of the City Planning Code which permits owners of property in excess of three acres to exceed the 40-and 65-foot height limits through conditional use procedures; and he indicated that the language of Section 120.4 had been adopted to honor the City's prior commitment with the developers of the proposed International Market Center. He indicated that he did not like the International Market Center proposal; however, he did not feel that the City should not honor the agreement which it had previously made regarding that project. With regard to the agreement made by the City to the International Market Center, Mr.Katz noted the resolution which had been adopted by the City Planning Commission when the street vacations were approved had specified that the streets should be placed in escrow and that title to the streets should revert to the City if the proposed development were not begun within a reasonable period of time. Later, it had been stipulated that the agreement could be terminated before December 31, 1969, at the option of either party and that a quit claim would be delivered to the City if the project were not initiated before December 31, 1970. Under the circumstances, the City's legal agreement with the International Market Center would expire at the end of 1970;

and, under the circumstances, he did not see any reason for the present language of Section 120.4 of the City Planning Code which would allow two years of additional time for honoring the agreement, especially since other three-acre parcels of property might be accumulated during that time which might also take advantage of the "loophole" provided by Section 120.4. It seemed to him that the City is more anxious to accommodate developers than it is to accommodate its citizens; and, since he had just found out that the developers of the International Market Center had not even been able to pay their taxes on their property, he did not feel that the City should go out of its way to extend the original agreement by two years. He urged that the language of Section 120.4 of the City Planning Code be modified to allow only one-year period for the filing of conditional use applications requesting exceptions from established height limits for projects in excess of three acres.

Commissioner Porter asked why the Board of Supervisors had referred the matter back to the City Planning Commission instead of making their own decision with regard to a one-, two- or three-year duration of the effectiveness of Section 120.4. Mr. Passmore replied that the manner in which the matter had been advertised would not have permitted the Board of Supervisors to change the text of Section 120.4 at that time; however, in view of the way in which the matter had now been advertised, the Board of Supervisors would have the ability to consider the appropriateness of a one-, two- or three-year time limit regardless of the action of the Commission.

Commissioner Ritchie, noting that he had been absent when this matter had previously been discussed by the Commission, reminded the Commission that the Landmarks Preservation Advisory Board had made an agreement with the North Waterfront Associates whereby the Landmarks Preservation Advisory Board was to be given written notice six months in advance of the scheduled demolition of the Seawall Warehouse, one of the most important landmarks in the city. Yet, no notice was given; and the Landmarks Preservation Advisory Board had become aware of the developer's plans only when the building had already been partially demolished. He stated that he deeply resented the abrogation of that agreement. Furthermore, he had heard that the property owned by the North Waterfront Associates had been offered to a number of other potential buyers; and, if that were true, he wondered if the previous agreement of the City was still binding. Before taking action on the proposal presently under consideration, he wished to know with whom the City intends to keep faith regarding commitments previously made for the International Market Center project

The Director stated that the streets which had previously been vacated by City are being held in escrow; and he indicated that title to the streets would not be transferred to any developer unless a conditional use authorization were granted for a project meeting the design terms of reference previously approved by the Commission.

Commissioner Ritchie stated that he was inclined to favor reduction of the time limit allowed by Section 120.4 of the City Planning Code.

Commissioner Porter stated that she had understood that a group had volunteered to raise money to save portions of the Seawall Warehouse; and, as far as she knew, nothing had been saved. Commissioner Ritchie replied that he believed that the iron shutters and other features of the building are in storage.

President Kearney stated that he was concerned about the possibility that other three-acre parcels of property might be assembled if the three-year time limit were retained in Section 120.4 of the City Planning Code. Under the circumstances, he favored reduction of the time limit to one year.

Ronald Pengilly, an attorney, stated that the real reason for delay of the International Market Center project was directly related to two law suits which had been initiated by Mr. Katz. After the agreement had been reached with the City for purchase of the vacated street areas, a suit had been brought questioning the legality of the sale of the street areas. The first suit lost and was not appealed; however, an identical suit was brought by another group who also lost the case but who had continued it on appeal. Because of the pending litigation, the City cannot complete the sale of the streets; and, until the streets are sold, the proposed project cannot proceed. Under the circumstances, he felt that it would be extremely inequitible if Mr. Katz were now successful in having the time period of Section 120.4 of the Ctiy Planning Code reduced to one year as the second part of a "two-pronged attack." In fact, given the circumstances of the case, he felt that there would be good reason for the Commission to allow additional time in excess of the three-year period previously stipulated. He stated that his clients pay $200,000 a year in taxes; and, as a result, it would be extremely unfair to penalize them further by requiring them to prepare building plans before the pending law suit is finally determined by the courts. Mr. Pengilly remarked that both theCity Planning Commission and the Board of Supervisors had given thorough consideration to the proposed International Market Center; and, since the project had been approved by both of those agencies, he regarded it as thoroughly offensive that people such as Mr. Katz should try to superimpose their views on the situation. He advised the Commission that his clients had observed their agreement regarding the Seawall Warehouse "to a tee"; and he indicated that his clients are as interested in conservation as anyone opposing their project.

Commissioner Ritchie stated that he would like to have an opportunity to ask the Landmarks Preservation Advisory Board about the written agreement regarding the Seawall Warehouse before proceeding to take action on the proposal presently under consideration.

Commissioner Fleishhacker stated that he did not feel that the issue of the Seawall Warehouse was pertinent to the matter presently being considered. He indicated that the Commission previously made a commitment to the International Market Center project; and, since the Commission was now being asked to reverse its position, he felt that the Commission should act to keep faith with its previous commitment.

Commissioner Ritchie stated that his purpose in mentioning the Seawall Warehouse was to call attention to a previous agreement between the developers and an agency of the City and County of San Francisco which was not honored.

Mr. Katz stated that the law suits which had been mentioned by Mr. Pengilly had been filed by Roger Kent who had given previous notice to both the developers and the Board of Supervisors that the law suits would be filed. Therefore, when the Board of Supervisors entered an agreement with the developers which would extend through December 31, 1971, they were fully aware that the law suit would be filed. Under the circumstances, he saw no reason why the City Planning Commission should take an action now which might result in extension of the agreement beyond the previously agreed-upon date.

Mr. Pengilly stated that he had been told by the City Attorney's office that the City could have transferred title to the vacated streets to his clients if it had not been for the law suits which had been filed; and, under those circumstances, his clients could have proceeded with the proposed project. In any case, the agreement between his clients and the City had been made long before the law suit had been filed.

Mr. Katz stated that the Daily Commercial News had carred an article stating that the law suit had been filed for the purpose of harassment; and Mr. Kent, who had filed the law suit, had forced the paper to retract that statement.

Mrs. Jean Kortum stated that she does not live in the Northern Waterfront area; however, she felt that it was proper that someone fight for the people to achieve the concepts which had been proposed in the original plan for the Northern Waterfront which had been prepared by John Bolles and Associates. In any case, people do have a democratic right to challenge the actions of their government in courts. She stated that representatives of the Northern Waterfront Associates had participated in meetings of the Northern Waterfront Citizens Advisory Committee; and, as a result, they were quite aware of the height concepts which were being formulated. The property which had previously been owned by the North Waterfront Associates is presently owned by the Travelers Insurance Company; and they would probably want to develop the land or else sell it to someone else. In addition, it would be easy for another developer to acquire a parcel

of property in excess of three acres either by acquisition of a little less than two city blocks or by obtaining land from the Port Commission. Therefore, in view of that possibility, she hoped that the three-year time limit for exemption from established height limits would be reduced by the Commission.

Lewis Lindsay did not understand why it had been necessary to tear down the Seawall Warehouse; and he felt that it had merely been a "foot in the door move" on the part of the developers. Under the circumstances, he did not feel that the developers should be given any consideration at all.

Henry Massey, representing Dent W. MacDanough, owner of property on Telegraph Hill, stated that his client was in favor of limiting the effective duration of Section 120.4 of the City Planning Code to a period of one year.

Albert Merrill, owner of 14 parcels of property in Block 85, stated that he, also, was in favor of a one-year limit on the effectiveness of Section 120.4 of the City Planning Code.

Mr. Pengilly stated that the original three-year time limit had been included in Section 120.4 of the City Planning Code after considerable deliberation; and he did not believe that circumstances had changed sufficiently to warrant a change in that time limit. He noted that three years is the standard time limit for the type of legislation contained in Section 120.4 of the City Planning Code; and he indicated that his client would view a reduction of the time limit from three years to one year as something personal.

Charles Paganini, Director of the North Waterfront Associates, stated that it had been made clear to both the City Planning Commission and the Board of Supervisors at an earlier date that the proposed International Market Center project would be undertaken in two or three phases. The first phase of the project would have to be completed satisfactorily before the second and third phases would be undertaken. Therefore, he felt that it should be obvious that a project of the magnitude of the one being contemplated could not be put together in one or two or even in three years.

The Director stated that while he had recommended that the Commission consider reducing the time limit from three years to two years, certain comments had been made during the course of the discussion which had indicated that such a reduction of the time limit would affect the interests of the developer. He also noted that he had received a call from the City Attorney's office prior to the meeting indicating that litigation of the pending law suit may take as long as fifteen months. Since the City Planning Commission had agreed that the International Market Center project should move ahead,

and since the discussion of the proposed amendment had given him some reason to believe that the purpose of the amendment might constitute another attempt to stop the project, he would understand it if the Commission wished to retain the three-year time limit presently in effect. In any case, he felt that the Commission should not reduce the time limit to one year.

After further discussion, it was moved by Commissioner Fleishhacker and seconded by Commissioner Porter that all of the existing language of Section 120.4 of the City Planning Code be retained in its present form. When the question was called, Commissioners Fleishhacker and Porter voted "Aye"; Commissioners Kearney and Ritchie voted "No." In accordance with the rules and regulations of the Commission which provide that "a tie vote on any matter before the City Planning Commission shall be deemed to be a disapproval thereof", the proposed amendments to Section 120.4 of the City Planning Code was disapproved.

The meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, May 28, 1970.

The City Planning Commission met pursuant to notice Thursday, May 28, 1970, at 1:00 p.m. at 100 Larkin Street.

PRESENT: James S. Kearney, President; Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President; and James K. Carr, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director of Planning - Implementation (Zoning Administrator); Samuel Jung, Planner IV; Marie Carlberg, Planner III, Jean Dierkes, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner.

1:00 P.M. - Field Trip

Members of the Commission who were not able to attend last week's field trip departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the zoning hearing on June 4, 1970.

R70.32 Revocable encroachment permit for courtyard, wall screen and stairway on Edgehill Way, Lot 10, Block 2933.
(under advisement from meeting of May 14, 1970).

Samuel Jung, Planner IV, stated that the subject referral had been taken under advisement from the meeting of May 14 to enable members of the Commission to take a field trip to the site. He stated that the Board of Supervisors had previously granted the applicant a revocable encroachment permit to use City-owned property for construction of a fence around the perimeter of the site; and while he had reported at the meeting of May 14 that the insurance covering the area involved in the previous encroachment permit had been allowed to lapse, thus nullifying the permit, he had received a telephone call from the Controller's Office earlier in the day advising that an insurance policy covering that property as well as property involved in a previous encroachment permit granted to the applicant in connection with an adjacent parcel of property which he also owns is still in effect. Therefore, the revocable encroachment permit previously granted for the subject site was still valid. Mr. Jung displayed a map which he had prepared of the subject neighborhood as shown in the Sanborn Map Books to illustrate the extent to which buildings and other pertinent structures encroach into the right-of-way of Edgehill Way. He stated that four of the properties located on

the street have legal encroachments into the public right-of-way, including the parcel adjacent to the subject property which is also owned by the applicant. In addition, a few of the other properties located on the street have various minor encroachments into the public right-of-way in the form of fences, driveways, etc., without the benefit of permits.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), recommended that the Director be authorized to report that the proposed revocable encroachment permit is in conflict with the Master Plan because its sole purpose would be to enlarge a private use by enclosing a part of the public right-of-way by a permanent structure.

Commissioner Porter remarked that the proposed encroachment would also create a hazard for motorists on the street.

Commissioner Fleishhacker asked about the height of the solid wall on the north side of the subject property. Mr. Jung replied that the wall has a height of eight feet. Mr. Fleishhacker then remarked that the eight foot wall, while located on the applicant's own property, would block the view of approaching motorists; and, if the wall were to be extended into the public right-of-way at that height, he felt that the wall would create a definite traffic hazard.

Robert V. Arrigoni, architect for the applicant, stated that he did not feel that the proposed encroachment into the public right-of-way would create an unsafe traffic condition.

Commissioner Mellon remarked that the height of the wall was higher than it would have to be to serve any useful purpose; and he agreed with Commissioner Fleishhacker that extension of the wall at the same height into the public right-of-way would create an obstruction which would create an unsafe condition for motorists. However, if the fence could be reduced in height to six feet, he would have no objection to the proposed encroachment into the public right-of-way.

Mr. Arrigoni stated that the wall on the north property line had been constructed on private property with the permission of the City; and he felt that retention of the present height would be important in order to frame the open space of the patio in such a way as to give it the feeling of a traditional courtyard.

Commissioner Mellon asked how high the fence would be at its highest point in the public right-of-way if the existing fence were to be reduced to six feet and continued downhill from that height. Mr. Arrigoni replied that the highest point of the fence would then be between eight and ten feet.

Commissioner Mellon asked if the applicant would be willing to reduce the height of the fence to six feet so that its continuation into the public right-of-way would not create an obstruction. Mr. Arrigoni replied that he would take that possibility into consideration. He emphasized, however, that the previous

encroachment permit which had been obtained by his client for construction of a six-foot fence around the entire site in the public right-of-way was still in effect; and, if they were to proceed in accordance with the previous plans, the encroachment into the public right-of-way would be much greater than would be the case if the present request for an encroachment permit were granted.

Commissioner Fleishhacker remarked, however, that it was his impression that the applicant did not wish to build the fence for which the original encroachment permit was granted. Mr. Arrigoni confirmed that fact. He stated that the fence originally proposed would have been constructed of brick and grape stakes; and, since it would have been unattractive, his client did not wish to proceed in that manner unless he were forced to do so. In any case, the radius of the original encroachment had been foreshortened to provide sight-line safety for motorists; and the encroachment now being requested would lie within that radius. He did not feel that the requested encroachment would block the views which had not already been blocked by the house which has been constructed on the site.

Commissioner Fleishhacker stated that he had made a field trip to the site; and it was his opinion that the fence which the applicant proposed to construct in the public right-of-way would block views.

Commissioner Ritchie inquired about the size of the triangularly-shaped parcel of public right-of-way involved in the proposed encroachment. Mr. Arrigoni replied that the property in question has an area of approximately 125 square feet.

Commissioner Ritchie then remarked that the applicant's courtyard would be quite large if it were expanded by 125 square feet of City property. Mr. Arrigoni replied that it was his opinion that the courtyard would not be large enough. He stated that his client's house had originally been designed on the assumption that a wall could be built around the property under the terms of the original revocable permit. The wall had been built; but the City later required that it be removed. Subsequently, revised plans had been prepared and an application had been filed for a new revocable permit; and the new proposal had already been approved by the Art Commission.

Commissioner Porter stated that she was disturbed by the fact that proper procedures had not been followed and that the Art Commission had spent a great deal of time discussing the design of the fence and stairwell before the matter had been considered by the City Planning Commission.

Mr. Steele reminded the Commission that the negative recommendation of the staff of the Department of City Planning was being made on the basis that the sole purpose of the requested revocable permit would be to enlarge a private use by enclosing a portion of the public right-of-way with a permanent structure.

Commissioner Ritchie felt that the encroachment now being proposed would be significantly less harmful than the original proposal for construction of a fence in the public right-of-way which would surround the entire property.

Commissioner Mellon asked if the applicant would be willing to lower the height of the fence from eight feet to six feet at the northeast corner of the site Mr. Arrigoni replied that he would be willing to lower the height of the fence if the approval of the Commission were to hinge on that alteration.

[illegible]

[illegible]

[illegible]

Commissioner Mellon asked if the applicant would be willing to lower the height of the fence from eight feet to six feet at the northeast corner of the site. Mr. Arrigoni replied that he would be willing to lower the height of the fence if the approval of the Commission were to hinge on that alteration.

At this point in the proceedings, Allan B. Jacobs, Director of Planning, arrived in the meeting room after returning from a meeting of the Streets and Transportation Committee of the Board of Supervisors where a proposal for widening and realignment of O'Shaughnessy Boulevard was under discussion.

Herbert Runyon, 255 Edgehill Way, stated that he had taken issue with Mr. Born of the Art Commission who was interested only in the aesthetics of the applicant's proposal. He wondered what had happened to the additional parking space which had originally been proposed to encroach on the public right-of-way. Mr. Arrigoni replied that the proposed parking space had been eliminated.

Mr. Runyon then asked when the Master Plan had first been formulated. The Director replied that the Master Plan had been adopted approximately twenty years ago.

Richard K. Butler represented his mother who owns property at 36 Edgehill Way. He stated that his family had lived on Edgehill Way for 33 years. He felt that visibility is better at the present time than it ever had been in the past; and he believed that granting of the requested encroachment permit would not decrease the visibility to any extent. In any case, he did not feel that speeding motorists should be encouraged on Edgehill Way.

Mr. Froom, 235 Edgehill Way, stated that he had driven up and down the hill for over 21 years. He indicated that he had been opposed to the wall which the applicant had originally proposed to construct around his property; but he did not feel that there would be anything wrong with the present proposal. He stated that authorization of the requested revocable permit would not affect visibility for people travelling on the street.

Mrs. Marcus Roth, 375 Edgehill Way, suggested that all of the residents of the area should be allowed to vote on the proposal.

William Dunn, 400 Edgehill Way, represented both himself and Mrs. Healey, owner of property at 300 Edgehill Way. He noted that parking is not permitted on the side of the street in question; and, in any case, drivers tend to bear toward the center of the road. Furthermore, since traffic on the street is relatively slow-moving, he did not feel that granting of the requested revocable permit would create a traffic hazard.

Calvin Whittle, 18 Edgehill Way, felt that the wall which the applicant had originally proposed to construct would have obstructed the visibility of the people driving on the street; however, he had no objection to the applicant's present proposal. Before the applicant's house was constructed, the lot had been a hill which was covered by trees; and, as a result, it had been completely

Commissioner Wallace asked if the applicant would be willing to lower the height of the fence from eight feet to six feet at the northeast corner of the site. Mr. Aufhammer replied that he would be willing to lower the height of the fence if the approval of the Commission were forthcoming on the application.

At this point in the proceedings, Allan J. Jacobs, Director of Planning, arrived in the meeting room after returning from a meeting of the Streets and Transportation Committee of the Board of Supervisors where a proposal for widening and realignment of Shenandoah Boulevard was under consideration.

Herbert Runyon, 255 Edgehill Way, stated that he had taken issue with Mr. Dorr of the Art Commission regarding the architecture of the applicant's proposed residence. He stated that had happened to the applicant's property if the Commission had proceeded to approve on the public rights-of-way. A Architectural Review, the proposed parking space had been eliminated.

Mr. Runyon then asked when the Master Plan had first been formulated. The Director replied that the Master Plan had been adopted approximately twenty years ago.

Richard K. Butler represented the owner who owns property at 30 Edgehill Way. He stated that he had lived on Edgehill Way for 22 years. He felt that visibility is better at present than it was when he moved in the house and he believes that certain of the requested encroachments would not decrease the visibility to any extent. In any case, he did not feel that property values would be encroached on Edgehill Way.

A. Dixon, 235 Edgehill Way, stated that he had driven up and down the hill for over 22 years. He indicated that he had been opposed to the wall which the applicant had originally proposed to construct around his property; but he did not feel that there would be anything wrong with the present proposal. He stated that subdivision of the proposed remainable parcel, would not affect visibility for people traveling on the street.

Mrs. Marcus Koch, 275 Edgehill Way, suggested that all the residents of the area should be allowed to vote on the proposal.

William Dunn, 400 Edgehill Way, represented both himself and Mrs. Dailey, owner of property at 300 Edgehill Way. He stated that parking is not permitted on the slope of the street in question; and, in any case, drivers can't be blamed for the corner of the road. Moreover, since trail is on the street is totally slow-moving, he did not feel that widening of the roadway would create a traffic hazard.

Calvin Whitten, 18 Edgehill Way, felt that the wall which the applicant had originally proposed to construct would have enhanced the visibility of the people driving on the street; however, he had no objection to the applicant's present proposal. Before the applicant's house was constructed, the lot had been Edgehill chaparral covered by trees; and, as a result, it had been comparatively

impossible to see around the curve at that time. He remarked that only people who are unfamiliar with the neighborhood tend to drive fast on Edgehill Way; and, therefore, the question of visibility was not of great importance. Nevertheless, he felt that the project which had been undertaken by the applicant had made the area safer than it ever had been before.

Another resident of the subject neighborhood stated that he had learned to drive much more carefully since construction of the applicant's home commenced two years ago.

Gerry Debot, 301 Edgehill Way, urged that residents of the subject neighborhood be allowed to vote on the proposal.

President Kearney stated that the matter would have to be settled by the Commission and not by residents of the neighborhood. However, in order to obtain an expression of sentiment from residents of the neighborhood who were present in the audience, he asked for a show of hands of those in favor of or opposed to the applicant's proposal. Eight people indicated that they were in favor of the proposal; five people indicated that they were opposed to the proposal.

Mr. Arrigoni emphasized that the encroachment presently being proposed would lie within the radius of the encroachment permit previously granted by the City; and that radius had been designed to provide a diminishing sight-line for motorists. He also emphasized that his client's property had been a hill covered with trees before the construction project was undertaken; and, therefore, it had not been possible for motorists to see around the curve. He noted that his client had installed sidewalks around his property whereas other property-owners in the area had not; and the sidewalk itself could be considered to be a definite safety factor. He noted that the responsibility of the City Planning Commission was to determine whether the requested revocable encroachment permit would be in conformity with the Master Plan; and he indicated that his own opinion was that the Master Plan should be flexible enough to take into consideration situations such as the one which exists on Edgehill Way. In that regard, he felt that granting of the revocable encroachment permit should be viewed as an appropriate action given the unique factors involved.

Commissioner Fleishhacker stated that it was his position that anything which might be built within the public right-of-way would decrease the visibility around the curve; and he did not wish to say that construction under the original revocable encroachment permit would be worse than construction which would take place if the present permit application were approved.

Commissioner Ritchie felt that the fence which could be built under the original encroachment permit would be much worse than the project presently being proposed which seemed to him to be a reasonable and attractive compromise. He therefore moved that the encroachment permit be approved as in conformity with the Master Plan. The motion was seconded by Commissioner Mellon.

Commissioner Fleishhacker stated that he intended to vote in accordance with the recommendation of the staff of the Department of City Planning. He felt that use of the public right-of-way for a permanent private structure would be against the best interests of the City; and he did not believe that it should make much difference to the applicant whether his patio has an area of 800 square feet or of 120 square feet less.

Commissioner Mellon remarked that other properties on Edgehill Way encroach into the public right-of-way; and, under the circumstances, he felt that the Commission might be discriminating against the applicant if the encroachment permit should be denied.

After further discussion the question was called, and the Commission voted 3-2 to authorize the Director to report that the proposed revocable encroachment permit for a courtyard, wall screen and stairway for Lot 10, Block 2933, on Edgehill Way is in conformity with the Master Plan. Commissioners Kearney, Mellon, and Ritchie voted "Aye"; Commissioners Fleishhacker and Porter voted "No".

At 3:05 p.m. President Kearney announced a 10-minute recess. The Commission reconvened at 3:15 p.m. and proceeded with hearing of the remainder of the agenda. President Kearney was absent from the meeting room for the remainder of the meeting.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that the Board of Supervisors, acting on Monday, voted 9-0 to adopt a resolution calling for implementation of the shoreline element of the South Bayshore Study prepared by the Department of City Planning and authorizing City and County agencies and officials to explore sources of financial assistance available for implementation of that element of the Plan.

The Director advised the Commission that he had spent most of last Friday at a meeting where presentations were made by the three prime consultants for the Airport Access Project.

The Director informed the Commission that the Zoning Administrator had disapproved two high sign permit applications which had been filed by the Hilton Hotel because the signs would have been in conflict with Section 608.5 of the City Planning Code which provides that no sign exceeding 200 square feet in area shall be located so that it is primarily viewed by persons on a designated freeway route. The signs would also have been in conflict with the amendment to Section 607(G)1 of the Planning Code, which was recently adopted by the Commission to limit the height of any sign attached to a building in a C-3 District to a maximum of 100 feet.

Commissioner Holmbladier stated that he intended to work in cooperation with the Commissioner of the Department of City Planning to [illegible] the public right-of-way for a proposed private [illegible] would be [illegible] the [illegible] of the City [illegible] a [illegible] believe that a [illegible] considerable difference to the applicant property [illegible] fact as of 1[illegible] square feet.

[illegible] Commissioner Marcher stated that [illegible] properties on Republic Way [illegible] into the public right-of-way [illegible] requirements, he felt that the [illegible] dedicating [illegible] applicant if the development permit should be denied.

After further discussion the question was called, and the Commissioner voted [illegible] to authorize the Director to report that the proposed revocable encroachment permit from [illegible] Way, subject and subject to [illegible] 10, Block [illegible], on [illegible] Way is in conformance with the Master Plan. Commissioners Kearney, [illegible] and Hitchcock voted "Aye"; Commissioners Holmbladier and [illegible] voted "[illegible]".

At 3:10 p.m. President Kearney announced a 10-minute recess. The Commission reconvened at 3:1[illegible] p.m. and proceeded with hearing of the remainder of the agenda. President Kearney was absent from the meeting upon the return of the recess.

OTHER MATTERS

Allen E. Jacobs, Director of Planning, reported that the Board of Supervisors, sitting as Monday, voted to [illegible] a resolution calling for supplementary [illegible] of the above-[illegible] of the Joint Downtown Study [illegible] prepared by the Department of City Planning and Urban Renewal and other agencies and officials [illegible] assistance available for joint execution of the [illegible] Plan.

The Director noted the Commission's [illegible] had spoken post at last Friday's meeting where representations were made by the three parties concerned for the Airport Access Project.

The Director informed the Commission that the County Administrator and director approved a design page [illegible] applications which had been [illegible] by the Director [illegible] the plans would have from [illegible] conflict with Section 608.7 of the Master Planning Code which provides that, in such case, the [illegible] shall be located so that it is primarily viewed by persons on a moving [illegible] route. Duplicate [illegible] would have been in conflict with the [illegible] Section 607(b)(1) of the Planning Code, which was recently adopted by the Commission, [illegible] the height of any sign attached to a building in a [illegible] zone [illegible] more than 100 feet.

The Director advised the Commission that the "Improvement Plan for Residence -- A Proposal for Citizen Review" will be published on June 11, 1970.

Commissioner Ritchie requested that the Commission be brought up-to-date regarding development proposals for the Port-owned property located south of the Ferry Building.

Commissioner Ritchie requested that letters be addressed to Senator Murphy and Secretary of the Interior Hickel to advise them of the position of the Commission regarding future use of Forts Miley, Mason, Funston and the Presidio.

Commissioner Ritchie reported on conversations which we had recently had with representatives of Landmark Preservation groups in Washington, D.C. and New York City.

PRESENTATION ON SB1400 by the OPEN SPACE ACTION GROUP

Robert Kirkwood, appearing on behalf of the Open Space Action Group, stated that he had mailed a brochure and a copy of SB1400 to each member of the Commission in advance of the meeting for their information. He displayed a map which he had drawn to indicate the political jurisdiction of San Francisco which extends over a large portion of the Bay and remarked that water has value as visual open space; and he indicated that vineyards which are usable, are in fact open space of another type. While the Bay Area does have a great deal of open space at the present time, his organization felt that it would be desirable to place all of the open space in the area under the control of a regional organization since local jurisdictions often cannot resist the temptation to allow their open space to be developed. If SB1400 were adopted, it would establish a 27-member Bay Area Regional Open Space Commission, similar to BCDC, which would be charged with the responsibility of studying, planning and recommending action in connection with the acquisition, preservation and development of regional open space. The bill would also grant permit authority to the Commission to control development of open space during a two-year period. Originally, it had been believed that the open space element of the ABAG Plan could be used by the new Commission to designate properties which would be subject to controls for the two-year period; however, it had later been determined that the open space element of the ABAG Plan is not a legally definitive document. Therefore, a new inventory and description of the region's open space would have to be prepared for the new Commission.

Mr. Kirkwood informed the Commission that it had been estimated that all of the open space indicated in the ABAG Plan could be purchased at a cost of $10.00 per person per year. However, given the savings which would be realized on utilities and services, and given the possibility of preserving some of the open space through zoning rather than purchase of land, the cost of preserving the open space might be reduced to $2.50 per capita per year. The new Commission would undertake studies and prepare recommendations in connection with the acquisition, preservation and development of the open space; and he felt that the work of the Commission would be extremely important. While he was not asking

The Director advised the Commission that the "Development Plan for Bridgeville -- A Program for Urban Renewal" will be put out on June 1, 1970.

Commissioner Lucky requested that the Commission be brought up-to-date regarding development proposals for the Government-owned property located south of the Fort Smith.

Commissioner Kirkpatrick stated that parties in Texas had been talking and bargaining with the Industrial Board to develop the property on the Fort Smith, depending upon the outcome of Fort Smith, Texas, and the Presidio.

Commissioner Kirkpatrick reported on requests received on the Industrial Park situation regarding lease or financial participation projects in Washington, Ind. and New York City.

PRESENTATION OF SALES BY THE DEVELOPMENT DIRECTOR

Mr. Kirkpatrick introduced, commenting on behalf of the Urban Renewal Staff, Mr. Hugh Jones and Mr. Robert Brooks and a group of people who had come to see the Commission in the interest of the Industrial Park in advance of the meeting. Mr. Kirkpatrick introduced Mr. Jones who gave a very detailed description of the Industrial Park, including the Commission's plans for a Fortune 500 Industry, and a State Department of Commerce and Economic Development Office in the Industrial Park. Mr. Jones said he had a very good and detailed presentation, which he would be glad to give the Commission, with a complete copy. Mr. Jones said he had a prospect for a plant for the Industrial Park, which would employ 300 people, and that it would be larger than the size of the Dean Foods plant in the Industrial Park. He said the Industrial Park would be a regional economic development, local jurisdictions cooperating, and that the legislation to allow the Industrial Park to be developed was being adopted. It would be a 22-member Bay Area Regional Development Commission, similar to BCDC, and would be concerned with the geographical, economic, planning, and recommending aspects of the Industrial Park, including transportation and social impacts of economic growth. The 1-80 north and 1-680 north corridors would be the development corridors. After a temporary permit, it would be had to be approved by the Commission, and that the ABAG plan would be used by the Commission to determine recommendations. It would be subject to contracts for transportation purposes. It has been pointed out the open space element of the ABAG plan is not a reality, only a new concept. Therefore, the acquisition and development of the Industrial Park would be used to implement the open space plan.

Mr. Kirkpatrick noted that the Commission had been estimated that all of the open space implications in the ABAG plan would be purchased at a cost of $10,000 per person per year. However, given the current fiscal condition of utilities and services, and that the public is not willing to pay for open space, the open space rather than purchase of land, the cost of providing the open space might be reduced to $3,000 per acre, but, however, the open space would underlie roads and public transportation and the Industrial Park. Acquisition, preservation and development of open space, and the fact that the work of the Commission would be necessary in order. He said he was [illegible]

the City Planning Commission to endorse the specific organization proposed in SB1400, he did hope that the Commission would be willing to endorse the general concept of establishing an agency to control the preservation of regional open space.

Commissioner Mellon complimented Mr. Kirkwood on his presentation and remarked that he was happy to see him follow in the footsteps of his father who had led the movement to realign the Junipero Serra Freeway for the purpose of preserving open space and scenic vistas. He then asked if Mr. Kirkwood had any opinions regarding the ABAG open space element. Mr. Kirkwood replied that he was not personally familiar enough with specific pieces of open space to render an opinion regarding the ABAG Plan; however, while some people had felt that the ABAG Plan did not propose enough open space, others had felt it to be quite generous. His own hope was that a new regional Commission could be established to continue the open space work which had been begun by ABAG.

The Director stated that the staff of the Department of City Planning had reviewed the ABAG Plan and had determined that the open space standards of that Plan would be impossible for San Francisco to achieve since it would require a specific amount of open space per capita. He felt that a more reasonable approach would be to use open space to direct development in a desirable way; and, in that regard, he felt that the ABAG Plan was reasonable. He also remarked that while almost half of the Bay is zoned, mostly for industrial purposes, San Francisco had always viewed the Bay as open space and had not zoned portions of the Bay which are under its jurisdiction.

Commissioner Fleishhacker felt that the draft of the legislation proposed in SB1400 was too vague. As he read it, the legislation could be interpreted to mean that any vacant property in San Francisco might be subject to the permit jurisdiction of the new Commission.

Mr. Kirkwood stated that it had originally been intended that the legislation should refer specifically to all properties indicated as open space in the ABAG Plan; however, that approach had not proven to be feasible. Therefore, an amendment had been proposed which would provide that all developments of subdivisions in excess of 10 acres with the exception of Redevelopment projects etc., would be subject to permit control by the new Commission if more than $5,000 were to be required for land preparation or if more than $50,000 would be spent for construction of new buildings.

Commissioner Porter felt that some type of plan would have to be prepared to preserve agricultural land as open space. Mr. Kirkwood agreed and indicated that the new Commission would investigate economically feasible means by which agricultural open space could be preserved.

the City Planning Commission to endorse the specific organization proposed in SB1400, he did hope that the Commission would be willing to endorse the general concept of establishing an agency to control the preservation of regional open space.

Commissioner Mellon complimented Mr. Kirkwood on his presentation and remarked that he was happy to see him follow in the footsteps of his father who had led the movement to real in the Tamalpaco Park Preserve for the purpose of preserving open space and scenic vista. He then asked Mr. Kirkwood his opinions regarding the ABAG open space element. Mr. Kirkwood replied that he was not personally familiar enough with specific pieces of open space to render an opinion regarding the ABAG Plan; however, while some people felt that the ABAG Plan did not preserve enough open space, others felt it is the right approach. His own hope was that a new regional Commission could be established to continue the open space work which has been begun by ABAG.

The Director stated that the staff of the Department of City Planning had reviewed the ABAG Plan and had determined that the open space standards of that Plan would be impossible for San Francisco to achieve since it would require a specific amount of open space per capita. He felt that a more reasonable open space would be a true open space development in a desirable way; and, that regardless of the fact that the Plan was reasonable. He also remarked that with the exception of the City's acres, mostly for industrial purposes, San Francisco had always viewed the Bay as open space and had not added portions of the Bay which are under its jurisdiction.

Commissioner Wolfenbarger felt that the draft of the legislation presented in SB1400 was too vague. As he read it, the legislation could be interpreted to mean that any vacant property in San Francisco might be subject to the jurisdiction of the new Commission.

Mr. Kirkwood stated that it had originally been intended that the legislation should relate specifically to all properties indicated as open space in the ABAG Plan; however, that approach had not proven to be feasible. Therefore, an amendment had been proposed which would provide that all developments of seven divisions in excess of 10 acres with the exception of Redevelopment projects, would be subject to permit control. If the new Commission is made aware, would be subject to permit control. If the new Commission is made aware that 1,000 acres to be required for land preservation or if land cost than $30,000 would be spent for construction of new buildings.

Commissioner Porter felt the type of plan would have to be prepared to preserve agricultural land as open space. Mr. Kirkwood agreed and indicated that the new Commission would investigate accordingly. Certain areas by which agricultural open space could be preserved.

The Director stated that he had prepared a draft resolution for consideration by the Commission which would endorse in principle the creation of a Regional Open Space Commission without specifically referring to SB1400. The draft resolution read as follows:

> "WHEREAS, The City Planning Commission is earnestly in favor of the preservation of open space throughout the Bay Area for such uses as agriculture, water resource protection, wildlife preservation, mineral production, recreation and public enjoyment and the guidance of urban development; and
>
> "WHEREAS, Certain legislation has been introduced in the state legislature providing for the study of open space resources throughout the Bay Region and for the regulation of their development; and
>
> "WHEREAS, The study is expected to take a period of two years to develop a program of regulation and/or acquisition of open space throughout the Bay Region;
>
> "NOW, THEREFORE BE IT RESOLVED, That the City Planning Commission hereby endorses in principle the concept of the creation of a regional open space system benefiting all residents of the San Francisco Bay Region; and
>
> "BE IT FURTHER RESOLVED, That immediate steps be taken to initiate planning for such a regional open space system and the means for implementing such a program; and
>
> "BE IT FURTHER RESOLVED, That the Director of City Planning be hereby authorized to transmit copies of this Resolution to interested persons and organizations including the Mayor and the Board of Supervisors."

Mr. Kirkwood felt that adoption of this draft resolution would be very helpful to the interests of his group.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6539.

The meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

[illegible]

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, June 4, 1970.

The City Planning Commission met pursuant to notice on Thursday, June 4, 1970, at 2:15 p.m. at the meeting room at 100 Larkin Street.

PRESENT: James S. Kearney, President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Robert Passmore, Assistant Zoning Administrator; Samuel Jung, Planner IV; Daniel Sullivan, Planner III; and Lynn E. Pio, Secretary.

Scott Blakey represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that the minutes of the meeting of November 6, 1969 be approved as submitted.

CURRENT MATTERS

The Director reported that he had met with representatives of the Hilton Hotel regarding the permit application for high signs which was disapproved by the Zoning Administrator. They indicated that they do not wish to enjoy priviledges which will not be allowed to others under similar circumstances. They realized the importance of the matter to San Francisco and stated that they were anxious to cooperate with the City in preserving the integrity of the skyline. The Commission requested that a letter be addressed to the manager of the Hilton Hotel thanking him for his cooperation.

The Director advised the Commission members of a field trip scheduled next Thursday at 1:00 p.m. for the June 18 Zoning Cases. If any members of the Commission are not available at that hour, the staff will be willing to make special arrangements for separate field trips at their convenience.

The Director announced that the Improvement Plan for Residence will be presented to the Commission next Thursday at 2:15 p.m.

The Director advised the Commission that the Urban Design Citizens Advisory Committee, meeting last week, was unanimous in taking a policy position regarding street vacations; and he indicated that the staff of the Department of City Planning

will be preparing a Master Plan policy amendment draft on this subject for consideration by the Commission.

Commissioner Ritchie advised the Commission that the Automibile Dismantlers are intersted in two sites in the South Bayshore Area as possible locations for automobile wrecking yards and may be filing a conditional use application in the near future.

R70.10 Market Street reconstruction, street closings and pedestrian malls.

Samuel Jung, Planner IV, reported on this matter as follows:

"The plan for a new Market Street with emphasis on the pedestrian includes plazas or malls at five locations. The change in use from vehicular roadways to pedestrian areas requires a report from the City Planning Commission to the Board of Supervisors as to conformity with the Master Plan.

All of the plazas will probably have the same brick paving as the Market Street sidewalks, trees and benches, and possibly fountains and sculptures. Sidewalk cafes could be located at several of the plazas, if the details can be worked out. Detailed plans are being prepared. A brief description of what is contemplated in each area follows:

(1) California Street between Drumm and Market Streets.
This is the easterly terminal of the California Street cable car where there was a small plaza in the traffic island prior to BART construction. An entrance to the Davis Street station will be located here, and there will be trees and benches. A small portion of California Street will be kept open to give access to the Embarcadero Center hotel's driveway. The Board of Supervisors has named the plaza for Robert Frost.

(2) Bush Street between Battery and Market Streets.
The Mechanics Monument will probably be relocated within this plaza in order to provide a better arrangement.

(3) Annie Street from Market Street to 100 feet southerly,
between Blums and the Monadnock Building. Annie Street must remain open to traffic to the south to serve the Hearst garage and other establishments. A sidewalk cafe would be a pleasant feature here but the administrative details have not been worked out.

(4) Powell Street between Ellis and Market Streets and
Eddy Street between Anna Lane and Market Street.
These two street closings will effectively enlarge Powell Plaza with its access to the station entrance and will provide easy pedestrian access to the shopping area from the station.

[illegible] Master Plan [illegible] [illegible] [illegible]

(5) Leavenworth Street between McAllister and Fulton Streets and Fulton Street between Hyde and Market Streets. The Seventh Street breakthrough replaces Leavensorth Street. Driveway access will be provided on Leavenworth Street for the Federal Building. The station entrance will have stairs and escalator rising westward with a view of the City Hall dome."

During the course of the presentation, Commissioner Fleishhacker arrived in the meeting room and assumed his seat at the Commission table.

The Director recommended that the street closings be approved as in conformity with the Master Plan.

President Kearney remarked that local merchants had spent approximately $150,000 to construct a plaza at the foot of Market Street before construction of the BART system was begun; and that plaza had been a mecca for office workers with bag lunches. Since office workers would not be able to afford sidewalk cafes, he felt that neither the foot of California Street nor the closed portion of Bush Street between Battery and Market Streets should be used for sidewalk restaurants.

The Director stated that the foot of California Street was intended to be used as a turnaround for the California Street cable car; therefore, no sidewalk cafe was being proposed for that site. He felt, however, that a sidewalk cafe might be appropriate in the closed portion of Annie Street south of Market Street.

Commissioner Mellon remarked that the new Ferry Park will provide a large area for workers wishing to eat bag lunches.

Commissioner Ritchie asked if closing of the subject portion of Annie Street would affect either the new Hearst Garage or the loading area of the Palace Hotel. The Director replied in the negative.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the closing of portions of the following streets to vehicular traffic and the construction of pedestrian malls is in conformity with the Master Plan:

1. California Street between Drum and Market Streets, as shown on SUR-970, with possible later modifications of the area to be left open for access to the Embarcadero Center Hotel subject to review by the Department of City Planning;

2. Bush Street between Battery and Market Streets, as shown on SUR-1070;

3. Annie Street from Market Street to 100 feet southerly, as shown on SUR-1170;

B-1-2

(2) [illegible] [illegible] [illegible]

4. Powell Street between Ellis and Market Streets and Eddy Street between Anna Lane and Market Street as shown on SUR-1270;

5. Leavenworth Street between McAllister and Fulton Streets and Fulton Street between Hyde and Market Streets, as shown on SUR-1370.

At this point in the proceedings, Commissioner Mellon absented himself from the meeting room.

R70141 Acquisition of Lot 22, Block 3537, north side of 14th Street 150 feet west of Church Street, for rectifier substation for Municipal Railway.

Samuel Jung, Planner IV, reported on the matter as follows:

"On March 19 of this year, the City Planning Commission reviewed another site for the proposed rectifier substation in the same block, on Church Street (R70.12). However, that site was sold before the City could purchase it and is now in use by the "Everyman's Free Medical Clinic."

The site now under consideration is a vacant 25 x 100-foot lot in the C-2 zone on 14th Street west of Church Street, located between flats on the east and flats with ground floor commercial uses on the west. Abutting on the rear of the lot is a non-conforming industrial use, a furniture repair warehouse.

The proposed structure, approximately 80 feet long and 15 feet high, will be set back 20 feet from the front lot line and the front setback will be landscaped."

The Director recommended that acquisition of the subject parcel of property be approved as in conformity with the Master Plan.

Commissioner Fleishhacker asked if owners of adjacent parcels of property had been notified that this item would appear on the Commission's agenda. The Director replied in the negative but indicated that adjacent property owners will be notified when the matter is considered by the Board of Supervisors.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the acquisition of Lot 22, Block 3537, as a site for a rectifier substation for the Municipal Railway is in conformity with the Master Plan.

At 2:55 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:00 p.m. for hearing of the remainder of the agenda. Commissioner Finn was present when the meeting was reconvened.

3:00 P.M. Room 282, City Hall, Zoning Hearing

CU70.24 1200 9th Avenue, southeast corner of 9th Avenue and Lincoln Way. Request for permission to rent automobile trailers on the site of an existing service station in a C-2 District (under advisement from meeting of May 7, 1970.)

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that the subject application had been taken under advisement from the meeting of May 7 at the request of the Sunset Heights Merchants Association. After reviewing the details of the application, he advised the Commission that the staff of the Department of City Planning had recommended that the application be disapproved because approval of a trailer rental operation on the subject site would create undesirable conflicts with traffic and because the proximity of the site to Golden Gate Park would present an impossible screening situation. He remarked that the proposed use would violate two major purposes of the City Planning Code under Section 101 to protect the character of areas within the City and promote orderly and beneficial development of subject areas and to regulate the use of land adjacent to streets and thoroughfares in such a manner as to obviate danger to safety caused by undue interference with existing and prospective traffic movements.

George W. Belden, the applicant, conceded that traffic is heavy at the subject intersection; however, during the three years in which he had operated a trailer rental business, no accidents had occurred at the intersection because of the trailers.

The Secretary read a letter which had been received from Una C. Bush, President of the Sunset Heights Improvement Club, advising that her organization had voted unanimously to oppose the subject application for two reasons, as follows:

"(a) The area is adjacent to a heavy traffic entrance to the park, and good taste demands good judgment in permitting only such enterprises that will compliment the entrance and the Hall of Flowers, and not impede the flow of traffic.

(b) We are hopeful that we may induce operators of similar enterprises (such as the used car lot and the car repair facility) to abandon the eye-sores and assist in the general up-building and beautification of the lower end of 9th Avenue at Lincoln Way."

Mrs. Bush, who was present in the audience, stated that she had counted more than eight trailers on the property in the past in addition to rental trucks. She did not believe that use of the property for renting trailers would add to the beauty of the neighborhood; and she felt that the property should be used for a restaurant or for the rental of bicycles. She pointed out that 9th Avenue is the main entrance to Golden Gate Park on Sundays; and she felt that use of the subject

site should be complimentary to the park. She also remarked that the trailer rental activities might extend into the night and create a nuisance in the neighborhood. Under the circumstances, she urged that the application be disapproved.

Commissioner Fleishhacker asked about the nature of the organization which Mrs. Bush was representing. Mrs. Bush replied that the Sunset Heights Improvement Club is an association of homeowners who are interested in the area between Second and Nineteenth Avenues south of Golden Gate Park.

Carl Kiefer, a member of the Spring Blossom and Wild Flower Association, felt that approval of the proposed use on the subject site would conflict with the various activities taking place at the Hall of Flowers in Golden Gage Park. Therefore, he urged that the application be disapproved.

Another member of the Sunset Heights Improvement Club felt that the intersection of 9th Avenue and Lincoln Way, as a major entrance to Golden Gate Park and the Hall of Flowers, should be beautified rather than downgraded. He hoped that the subject application would be disapproved.

Commissioner Fleishhacker regarded trailer rental facilities as a necessary use; and, since the staff of the Department of City Planning had recommended that the subject application be disapproved, he wondered what type of area might be deemed suitable for such an operation. Mr. Steele replied that trailer rental operations might be appropriate in many C-2 areas depending upon the effect which such uses would have on adjacent properties. He believed that Geary Boulevard might be a logical location for trailer rental operations because automotive-oriented uses predominate along that street; and he felt that certain portions of Irving, Judah and perhaps Taraval Streets might also be appropriate for the rental of trailers.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6540 be adopted and that the subject application be disapproved.

CU70.26 1321 26th Avenue, west line, 100 feet south of Irving Street. Request for expansion of an existing parking lot for the Chapel of the Sunset Mortuary into an R-2 District. (Postponed from meeting of May 7, 1970.)

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He indicated that the applicant proposed to construct a parking lot for approximately eight automobiles as an expansion of an adjacent existing parking lot which fronts on Irving Street and is zoned C-2. The entrance to the proposed parking lot would be over the existing one, with egress onto 26th Avenue through a 10-foot sliding gate. The proposed lot would be landscaped along the south lot line and within

that part of the front setback area not used as an exit according to plans submitted by the applicant. Under the proposal, three of the existing 18 parking spaces on the adjacent parking lot would be eliminated to provide access to the proposed parking lot, thus providing a net increase of approximately 5 parking spaces overall.

Ralph J. McGill, representing the applicant, stated that the purpose of the subject application was to obtain a little additional off-street parking space so that visitors to the mortuary would not have to park on the adjacent residential streets. In addition, approval of the subject application would facilitate egress from the existing parking lot. Mr. McGill stated that similar parking lots had been approved for the Arthur J. Sullivan and Gantner, Kenny and Felder Mortuaries on Market Street; and he hoped that the parking lot presently being requested would be approved, also.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele recommended that the application be disapproved. He remarked that the proposed expansion would not provide an appreciably greater amount of off-street parking for the mortuary; yet, the expansion would encourage and force commercial parking onto an existing residentially zoned and developed street where such traffic would not normally be. He also noted that while the buildings along 26th Avenue are set back from the street, the building on the corner adjacent to the subject lot does extend to the property line; and, as a result, automobiles leaving the proposed parking lot would have a very limited visibility and would create a dangerous situation. He remarked that the mortuary already has a substantial amount of parking within the commercially-zoned area to the north of the subject block along Irving Street; and he pointed out that the next block of Irving Street has a considerable number of diagonal parking spaces.

At this point in the proceedings, Commissioner Mellon returned to the meeting room and reassumed his seat at the Commission table.

Mr. McGill confirmed that the next block of Irving Street has diagonal parking spaces; however, since those spaces were intended to be used by people doing business along the street, he did not feel that it would be fair to have them occupied by people attending funerals.

Commissioner Porter felt that provision of the additional parking spaces for the mortuary would be desirable; however, she did not feel that automobiles using the parking lot should be allowed to exit onto 26th Avenue, which is a residential street.

Commissioner Fleishhacker commented on the fact that many other mortuaries have attendant parking; and he wondered if the applicants had considered that approach. Also, if no exit were to be provided onto 26th Avenue, the number of parking spaces in the new lot could be increased.

[illegible]

[illegible]

[illegible]

Mr. McGill stated that the subject property had been rezoned commercially by the Commission so that it could be used for parking; however, the nortuary had been forced to use its money in other ways. Since the parking lot was not established, the property was rezoned for residential use when the new zoning ordinance was adopted in 1960. He remarked that stipulations had been established when the property was originally rezoned for commercial use; and he indicated that the applicants would be willing to abide by any stipulations which the Commission might wish to establish if the present application for conditional use of the property were to be approved.

Commissioner Porter asked if automobiles parking in the present lot on Irving Street would use the exit on 26th Avenue, also. Mr. McGill replied that automobiles parking in the lot on Irving Street would probably continue to use the Irving Street exit.

Commissioner Finn asked if the staff of the Department of City Planning had received any reaction to the proposal from residents of the subject neighborhood Mr. Steele replied in the negative.

Mr. McGill remarked that notices had been sent to adjacent property owners and that notices had been posted in the subject neighborhood. Under the circumstances, he assumed that residents of the area did not object to the proposal.

Commissioner Ritchie felt that the proposed use of the site would be appropriate and that it would improve the appearance of the subject block.

Mr. McGill assured the Commission that the applicants would observe the 25-foot setback along 26th Avenue and that they would landscape the parking lot in any manner which would enhance the neighborhood.

Commissioner Porter asked if a fence would be installed around the parking lot. Mr. McGill replied that a gate of some sort would be constructed along 26th Avenue.

Commissioner Ritchie asked if street trees would be installed along both 26th Avenue and Irving Street if the subject application were approved. Mr. McGill replied that he was positive that the applicants would be willing to install the trees if the Commission so desired.

Commissioner Fleishhacker felt that use of the subject lot for parking would be appropriate; however, he questioned whether there should be an exit from the lot onto 26th Avenue. Commissioner Finn felt that an exit on 26th Avenue would provide for a more safe and orderly exit from the parking lot when large funerals are held; and he suggested that the gate might be locked at other times to prevent use of the 26th Avenue exit.

Commissioner Fleishhacker felt that the approach suggested by Commissioner Finn would be workable if a condition were established that someone should be on the premisis to control traffic whenever the gate is open.

[illegible]

Mr. Steele suggested that the Commission should take the subject application under advisement to enable the staff of the Department of City Planning to prepare a draft resolution of approval containing specific conditions. He indicated that the draft resolution could be prepared within two weeks.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that the subject application be taken under advisement until the meeting of June 18, 1970.

CU70.37 2198 Lombard Street, northeast corner of Steiner Street. Request for open storage and display of rental automobiles at an existing automobile service station in a C-2 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that a Hertz Automobile Rental Agency had been operated illegally at the subject site for several years with an average of 50 rentals per month. The applicant had indicated that less than 3 rental automobiles were present on the site at any given time; and no trucks had been rented from the site. The subject application requested legalization of the automobile rental use.

Jack Solomon, authorized agent for the Phillips Petroleum Company, stated that he had been in possession of the permit to allow automobiles to park on the site of his service station since 1949; and he had operated a Hertz Automobile Rental Agency on the site since 1964. In his opinion, there would seem to be little difference between parking rental automobiles on the site and parking automobiles which were waiting for washing or lubrication.

No one else was present in the audience to speak in favor of or in opposition to the subject application.

Mr. Steele felt that the proposed rental agency would provide a service to residents of the subject neighborhood and to transients staying in the motels along Lombard Street; and, if the automobile rental operation were to be limited in size and properly screened and controlled, he felt that it would be compatible with the surrounding neighborhood. Therefore, he recommended that the application be approved subject to seven specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing and commenting upon the proposed conditions, he recommended adoption of the draft resolution.

Commissioner Kearney asked if the applicant found the conditions to be acceptable. Mr. Solomon replied that the landscaping which would be required by the proposed conditions would cost approximately $1,000; and he could not vouch for the fact that the Phillips Petroleum Company would be willing to assume such a financial responsibility. If he were required to install the landscaping himself, the cost would offset the revenue which he obtains from the rental of automobiles.

Commissioner Finn asked if the staff of the Department of City Planning had discussed the proposed conditions with the Phillips Petroleum Company. Mr. Steele replied in the negative and indicated that Mr. Solomon had indicated on the application that he was an authorized agent for the Phillips Petroleum Company.

President Kearney felt that the Commission should not allow itself to be placed in a bargaining position. He suggested that the Commission should decide which conditions it wished to impose in approving the application; and, once the conditions were adopted, the Phillips Petroleum Company would either have to honor the conditions or else face revocation of the conditional use authorization.

Commissioner Porter asked if other properties along Lombard Street in the vicinity of the subject site have street trees. Mr. Steele replied in the affirmative and indicated that they are often difficult to see because of the clutter along the street.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Finn, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6541 and that the application be approved subject to the conditions contained in the draft resolution.

CU70.38 4375 Geary Boulevard, southeast corner of 8th Avenue. Request for open storage and display of rental automobiles at an existing automobile service station in a C-2 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He noted that the City Planning Commission, on May 5, 1966, had authorized a conditional use for an automobile parking area on a portion of the subject site which is zoned R-3. That authorization had required landscaping, fences, signs, lighting and access as specified in Resolution No. 5986. Although the R-3 lot had been developed physically to the standards required under the previously adopted resolution, the partial use of that lot for the rental of automobiles and for the storage of tires in connection with the service station is a violation of the conditional use authorization and, thus, in violation of the City Planning Code. He stated that the applicant now proposed to operate a Hertz Automobile Rental Agency on the service station site. Such an operation had been conducted illegally for several years, with an average of 50 rentals per month and less than three cars at the location at any given time. No truck rentals would be handled on the site.

William G. Filley, attorney for the applicant, stated that the subject property is owned by the Gulf Oil Corporation which rents it to his client. The Hertz Automobile Rental Agency is a separate corporation doing business on the site. He indicated that he would prefer to withhold further comment on the application pending Mr. Steele's recommendation.

Commissioner Finn asked if the staff of the Department of City Planning had discussed the proposed conditions with the Phillips Petroleum Company. Mr. Steele replied in the negative and indicated that [illegible] on the application that he was an authorized agent for the Phillips Petroleum Company.

President Newman stated that the Commission should not allow itself to be placed in a bargaining position. He suggested that the Commission should require those conditions it wished to impose in approving the application; and, once the conditions were imposed, the Phillips Petroleum Company would either have to accept the conditions or else face a rejection of the conditional use authorization.

Commissioner [illegible] asked if other properties along Lombard Street in the vicinity of the subject site have street trees. Mr. Steele replied in the affirmative and indicated that they are often difficult to see because of the clutter along the street.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Finn, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. [illegible] and that the application be approved subject to the conditions contained in the draft resolution.

CU70.[illegible] [illegible] Lombard Street, [illegible] corner of [illegible].
[illegible] for the [illegible] of rental automobiles
at an existing [illegible] station in a C-2 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He noted that the City Planning Commission on [illegible], had [illegible] the [illegible] a [illegible] of the subject [illegible]. [illegible] [illegible] [illegible], [illegible], [illegible] [illegible] [illegible]. Although the [illegible] [illegible] standards [illegible] the previously adopted [illegible]. The [illegible] [illegible] automobiles and the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible], in violation of the City Planning Code. [illegible] [illegible] [illegible] [illegible] [illegible] on the [illegible] [illegible]. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] at any given time. [illegible] [illegible] [illegible].

William G. [illegible], attorney for the applicant, stated that the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] the site. He indicated that he would [illegible] to withhold further comment on the application pending Mr. Steele's recommendation.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele felt that rental of automobiles on the subject site would provide a service to the residents of the neighborhood; and he believed that the operation could be screened and controlled in a manner which would make it compatible with adjacent properties. He indicated that he had prepared a draft resolution of approval containing 10 specific conditions; and he proceeded to summarize and comment upon the conditions which were being proposed. He noted specifically that certain conditions contained in the draft resolution would require the elimination of certain activities now taking place on the residential portion of the lot and that they would require that the present landscaping be brought up to the standards required under City Planning Commission Resolution No. 5986. Another condition contained in the draft resolution would limit the size of the Hertz identifying sign to 8 square feet with a maximum height of 24 feet.

Mr. Filley asked if the conditions contained in the draft resolution would require enlargement of the existing planter boxes. Mr. Steele replied in the negative and indicated that the conditions would merely require that the vegetation in the boxes be replaced and maintained.

Commissioner Porter remarked that while she favored the planting of street trees, she was concerned about the possibility that planting of street trees at the corner might obstruct the visibility of vehicular traffic. Mr. Steele replied that high shrubbery can be more dangerous at corner locations than mature trees.

Mr. Filley stated that his client would be happy to replace the trees which have died; and, if the Commission so desired, street trees would be placed at the corner although that did not seem to him to be a good idea.

President Kearney suggested that the details of the landscaping plans should be worked out with the staff of the Department of City Planning.

Mr. Filley remarked that he had no objections to the conditions requiring landscaping or the condition limiting the number of rental automobiles to be handled on the lot. However, he felt that the condition requiring conformance to the City Planning Code would be unnecessary. He also questioned the condition which would limit the size of the Hertz Automobile Rental sign but indicated that he would not take a position regarding that condition since he could not represent the Hertz Corporation. With regard to Condition No. 8, which specified that no other exterior general advertizing signs for Hertz or other companies may be erected or displayed on the site, Mr. Filley remarked that such a restriction would be quite unfair if it were construed to apply to the sign advertizing the Gulf Oil Corporation.

Mr. Steele replied that he was not sure about the sign to which Mr. Filley was referring; however, he indicated that Condition No. 8 of the draft resolution would require removal of the existing billboard on the site which has changeable lettering. Mr. Filley stated that the board with changeable lettering, known as a "commander sign", had been on the site for a number of years; and he considered the sign to be necessary for the type of business conducted on the lot. While he had no objection to the requirement reducing the size of the existing Hertz sign on the property, he felt that it would be unfair if the Commission were to require the Gulf Oil Company to remove the Gulf Oil "commander sign" as a condition for allowing the Hertz Corporation to conduct an automobile rental agency on the site.

Mr. Steele remarked that the sign in question is illegal in any case since it had not been included in the plans which had been considered by the Commission in authorizing the previous conditional use in 1966.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6542 and that the application be approved subject to the conditions contained in the draft resolution.

CU70.39 2499 Ocean Avenue, southeast corner of Junipero Serra Boulevard. Request for open storage and display of rental automobiles at an existing automobile service station in a C-2 District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to operate a Hertz Automobile Rental Agency on the service station property. He indicated that the automobile rental agency had been operated illegally for several years; and, according to information given by the applicant, the volume of rentals had averaged 50 vehicles per month with less than three cars being stored on the site at any given time.

John Hughs, the applicant, offered to answer any questions which the Commission might have regarding his proposal.

Commissioner Fleishhacker asked about the nature of the customers renting automobiles on the subject site. Mr. Hughs replied that most of his customers are people from the neighborhood who have out-of-town visitors or who lose the use of their own automobiles through accidents.

Commissioner Fleishhacker asked if other car rental agencies exist in the subject neighborhood. Mr. Hughs replied in the negative.

Commissioner Fleishhacker inquired whether the applicant intended to continue to use the City-owned property on the west of his site for the parking of automobiles. Mr. Hughs replied that he had decided that the parking of automobiles

(Cont'd)

on that strip of property would be unsafe because of the large number of school children passing by the site.

Commissioner Ritchie suggested that the strip of City-owned property should be landscaped. Mr. Hughs replied that he pays the City $25.00 per month for use of the property; and, if landscaping were to be required, he felt that it might be best for him to give up his lease and to allow the City to put in the landscaping itself.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele felt that the proposed automobile rental agency would provide a convenience to residents of the subject neighborhood; and he believed that it could be screened and controlled in such a manner as to be compatible with adjacent properties. Therefore, he recommended approval of the application subject to seven specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. In summarizing the consitions, he noted that landscaping would be required in a strip along Junipero Serra Boulevard.

Mr. Hughs stated that he was delighted by the landscaping plan which had been proposed by the staff of the Department of City Planning since he had been urging the Phillips Petroleum Company to install landscaping on the site over the past three months.

President Kearney asked who would pay for the landscaping. Mr. Hughs replied that he was confident that the Phillips Petroleum Company would be willing to pay for the project.

Commissioner Ritchie asked if the Phillips Petroleum Company would also be willing to landscape the City-owned portion of the property. Mr. Hughs replied that he was confident that the City-owned property would be landscaped, also. He remarked that Phillips is a reputable company; and he noted that the service station is located in an exclusive residential neighborhood. In any case, he did not feel that the landscaping plan which had been prepared by the Department of City Planning would be difficult to achieve.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution Number 6543 and that the application be approved subject to the conditions contained in the draft resolution.

CU70.43 444 Divisadero Street, east line, 100 feet south of Fell Street. Request for expansion of a non-conforming automobile washing facility in C-2 and R-4 zoning districts.

Roy Shimek, the applicant, stated that he was supposed to be represented by an attorney who had not yet arrived in the meeting room.

President Kearney stated that consideration of the subject application would be deferred until the end of the Commission's agenda. When the Commission reached the end of its agenda, Mr. Shimek's attorney was still not present. Therefore, it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that consideration of the subject application be postponed until the Commission's meeting on June 18, 1970.

CU70.45 148 Natoma Street, east line, 147 feet south of New Montgomery Street.
Request for an automobile parking lot in a C-3-O District.

R. Spencer Steele, Assistant Director - Implementation, referred to land use and zoning maps to describe the subject property. He indicated that the applicant proposed to demolish the building presently existing on the site and to resurface the property as an interim parking area connected with existing parking for the Pacific Telephone Company building at 140 New Montgomery Street. The lot would be screened by a fence on three sides.

Henry Morris, representing the Pacific Telephone and Telegraph Company, stated that the two-story building which presently occupies the subject site is old and is in violation of the building code. At the present time, the building is being used for the most part as a garage. He hoped that the subject application would be approved to permit the site to be used as an open parking lot.

Commissioner Porter asked if a new building would be constructed on the site in the very near future. Mr. Morris replied that a new building would not be constructed within the foreseeable future since most of the money which had been reserved for new construction projects had been channeled for the purchase of new dial-switching equipment.

No one else was present in the audience to speak in favor of or in opposition to the subject application.

Mr. Steele remarked that the proposed parking lot would not substantially change the existing parking use of the subject site in that the number of parking spaces would remain approximately the same. The major difference resulting from approval of the application would be that the parking would be open as opposed to enclosed. He distributed copies of a draft resolution which he had prepared for approval of the application subject to three conditions; and, after summarizing the conditions, he recommended adoption of the draft resolution.

Mr. Morris, noting that Condition No. 2 of the draft resolution specified that the parking lot should be used primarily by employees of the Pacific Telephone and Telegraph Company and occupants of the 140 New Montgomery Street office building, remarked that most of the vehicles parking in the lot would actually be company vehicles used by employees; and he wanted to make certain that the condition would not exclude use of the parking lot by those vehicles. Mr. Steele replied that Condition Number 2 of the draft resolution did not prohibit the parking of those vehicles.

Subject:

Roy Shimoh, the applicant, stated that he was represented by an attorney who was not yet arrived in the meeting room.

Presiding Commissioner stated the consideration of the subject application would be deferred until the end of the Commission's agenda, by which time the attorney would be at the meeting. Mr. Kimmel's attorney was definitely present. Thereupon, it was moved by Commissioner Warner, seconded by Commissioner Pelton, and carried unanimously that consideration of the subject application be postponed until the Commission's meeting on June 16, 1970.

CUP74-85 - 140 Warren Street, east line, 147 feet south of Montgomery Street.
Request for an automobile parking lot in a C-2 District.

E. Spencer Steele, Assistant City Attorney, referred to land use and zoning maps to clarify the subject property. He indicated that the applicant proposed to demolish the existing previously occupied on the site and to replace the property with an open parking area intended for the exclusive parking for the Pacific Telephone Company building. An new driveway access would be screened by a fence or hedges.

Larry Morris, representing the Pacific Telephone and Telegraph Company, stated that the company building is currently occupied and is in excellent condition. At the present time, the building is being used for the most part as offices. He noted that the subject application would be approved to permit the site to be used as an open parking lot.

Commissioner Porter asked this application would be considered on the site in the very near future. Mr. Steele replied that a new building could not be constructed until the Redevelopment Agency since which not at the money which had been reserved for the redevelopment project had been committed for the purchase of new dial-switching equipment.

No one else was present in the audience to speak in favor of or in opposition to the proposed application.

Mr. Steele reviewed the procedure permitting for would not automatically change the existing parking use of the old jack site to that the number of parking spaces would remain approximately the same. The major difference resulting from approval of the application would be that the parking would be open to the general public. He distributed copies of a draft resolution which he had prepared for approval of the application subject to those conditions which he summarized the conditions, in recommended adoption of the draft resolution.

Mr. Morris, noting that Condition No. 3 of the draft resolution required that the parking lot should be used primarily by employees of the Pacific Telephone and Telegraph Company and occupants of the 140 Warren Street building, remarked that most of the vehicles parking in the lot would actually be company vehicles used by employees; and he wanted to make certain that the condition would not exclude use of the parking lot by those vehicles. Mr. Steele replied that Condition Number 3 of the draft resolution did not prohibit the parking of those vehicles.

After further discussion, it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution Number 6544 and that the application be approved subject to the conditions contained in the draft resolution.

CU70.46 51-75 Main Street, east line, 137.5 feet north of Mission Street. Request for an automobile parking lot in a C-3-O District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to remove two-story brick and wood frame buildings from the site and to create a parking lot which would accommodate approximately 93 automobiles. The applicant had indicated that parking would be an interim use of the property.

Patrick Mahoney, Vice President of Milton Meyer and Company, stated that the buildings presently occupying the site are sub-standard. Because many new office buildings have been constructed in the adjacent neighborhood, and because some parking facilities had already been demolished to make way for new construction, his firm wiched to use the subject site for parking as an interim use. In conclusion, he noted that the subject property is located south of Market Street in an area which the Department of City Planning had deemed to be appropriate for parking.

Commissioner Fleishhacker asked if the applicant viewed the open parking lot as an adeal use of the property from a real estate point of view. Mr. Mahoney replied in the negative.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele remarked that the proposed parking lot would be within an area which is accessible and appropriate for automobile parking facilities; and he felt that the property could be screened in a manner to make it compatible with the surrounding properties. He distributed copies of a draft resolution which he had prepared for approval of the application subject to six specific conditions; and, after summarizing the conditions, he recommended adoption of the draft resolution.

Mr. Mahoney stated that he had no objection to the conditions which were contained in the draft resolution.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6545 and that the application be approved subject to the conditions contained in the draft resolution.

The meeting was adjourned at 4:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SECRETARY'S COPY

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, June 11, 1970.

The City Planning Commission met pursuant to notice on Thursday, June 11, 1970, at 100 Larkin Street at 1:00 p.m.

PRESENT: James S. Kearney, President; Walter S. Newman, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter and John Ritchie, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Dean L. Macris, Assistant Director - Plans and Programs; Peter Groat, Planner IV - Urban Systems Analyst; Peter Svirsky, Planner IV (Zoning); Dennis Ryan, Planner III - Urban Design; William Edwards, Planner II; Lois Chale, Planner II, Beatrice Ryan, Planner II, Raymond Laird, Planner II; Frederick Mock, Planner II; Emily Hill, Planner I; Alan Lubliner, Planner I; and Lynn E. Pio, Secretary.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the zoning hearing on June 18, 1970.

2:15 P.M. - Room 282, City Hall

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the minutes of the meetings of May 7 and 14, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that Mrs. Jeanne Jelincich, his secretary, has entered the hospital for an operation.

The Director informed the Commission that the Federal Department of Housing and Urban Development had approved an urban beautification reimbursement grant for San Francisco in the amount of $422,000.

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, June 11, 1970.

The City Planning Commission met pursuant to notice on Thursday, June 11, 1970, at 100 Larkin Street at 1:00 p.m.

PRESENT: James S. Kearney, President; Walter S. Newman, Vice President; James J. Finn, Lecturer Fitzpatrick, Thomas J. Mellon, Lee, Charles B. Porter and John Ritchie, members of the City Planning Commission.

ABSENT: None

Lee Alaimo of the Department of City Planning was represented by Allan Jacobs, Director of Planning; Dean E. Macris, Assistant Director - Plans and Programs; Peter Svedsen, Planner IV - Urban Systems Analysis; Peter Svedsen, Planner IV (Acting); Dennis Ryan, Planner III - Urban Design; William Duffy, Planner IV; Tom Cole, Planner II, Beatrice Ryan, Planner II, Leonard Laird, Planner II; Frederick Koch, Planner II, Sally Gill, Planner II; Alan Lubliner, Planner II and Lynn E. Ivy, Secretary.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. on a field trip to inspect the matters scheduled for consideration during the meeting beginning at 2:15 p.m. on June 18, 1970.

2:15 P.M. - Room 282, City Hall

APPROVAL OF MINUTES

It was moved by Commissioner Fitzpatrick, seconded by Commissioner Porter and carried unanimously that the minutes of the meetings of April and May 1970, be approved as submitted.

DIRECTOR'S MATTERS

Allan B. Jacobs, Director of Planning, reported Mrs. Joanne Hayes-White, his secretary, has entered the hospital for an operation.

The Director informed the Commission that the Internal Development and Urban Development and approval on urban beautification projects were made for San Francisco in the amount of $422,000.

The Director advised the Commission that he had received a letter from Wilbert G. Vestnys, Assistant Superintendent of the Unified School District, requesting an early review and report on drawings for the school to be constructed on the El Polin site in the Presidio; and the Director indicated that he intended to respond to Mr. Vestnys early next week regarding the conformity of the plans to the design terms of reference which had previously been established by the Commission.

At this point in the proceedings, President Kearney arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Ritchie stated that he had been advised that the plans which had originally been submitted to the Commission had indicated that no trees would be removed from the site; more recently, however, he had understood that new street layouts and other changes which had been made in the plans would require that a considerable number of trees be removed. He indicated that he was interested in the preservation of open space; and he noted that the Federal Government had recently taken several actions to preserve public open space and had begun to consider a proposal calling for the establishment of a Golden Gate Headlands Park which might include forts such as the Presidio. Under the circumstances, he hoped to have an opportunity to review plans for the proposed school before a response is made to Mr. Vestnys' letter.

The Director remarked that the City Planning Commission had previously found the El Polin site to be an appropriate location for a school; and, at the same time, the Commission had authorized the staff of the Department of City Planning to review later plans prepared by the Board of Education as to their conformity with specific design terms of reference.

Commissioner Ritchie remarked that he is somewhat of a "tree person"; and he noted that the El Polin site is a very scenic area. Under the circumstances, he would not feel comfortable about the situation unless he personally were to have an opportunity to review the plans for the school to see precisely which trees were to be removed.

Commissioner Mellon recalled that the design terms of reference which had been adopted by the Commission had specified that only a "minimal" number of trees could be removed on the site but had not provided that no trees should be removed.

The Director stated that the design terms of reference had indicated where buildings should or should not be located in order to preserve trees.

Commissioner Mellon suggested that it might be best for Commissioner Ritchie to meet with the Director to discuss the plans instead of referring the matter back to the whole Commission.

Commissioner Ritchie stated that he regarded the Presidio as more than a fort since it does provide valuable open space for San Francisco. In fact, the Presidio has served as public open space since the time that the City was founded. He remarked that a large number of trees had already been cut down behind the Officer's Club in the Presidio; and he felt that everything possible should be done to preserve the trees which remain. He noted that the school issue has been pending for a long time; and, if further review of plans for the school by the City Planning Commission would help to preserve the quality of the area, he did not see why the plans should be rushed through at this point.

Commissioner Fleishhacker asked if final plans for the project had been submitted to the Department of City Planning. The Director replied in the negative but indicated that the plans which had been submitted showed the siting of the proposed buildings on the property. In response to further questions raised by Commissioner Fleishhacker, the Director stated that the plans which had been submitted had contained enough information to indicate whether the proposed development would be in conformity with the guidelines which had previously been established by the Commission.

Commissioner Ritchie asked if the guidelines originally established by the Commission had specified that no trees should be removed or that only a minimum of trees should be removed. The Director replied that the guidelines had specified that only a minimum number of trees should be removed and had indicated important clusters of trees which must be retained.

Robert Lilienthal, 1 Spruce Street, stated that the letter which the Director had previously sent to the Superintendent of Schools reporting on the Commission's action regarding the El Polin School had specified that no "major trees" should be removed from the site and had defined a "major tree" as one that has a trunk diameter of four inches or a height of 12 feet. He stated that residents of the subject neighborhood were convinced that plans for the school do not conform to the guidelines which had previously been established by the Commission; and, as a result, he hoped that the Commission would reserve time for hearing some members of the public before a reply is prepared to Mr. Vestnys' letter.

President Kearney asked if it would be possible to defer the response to Mr. Vestnys' letter for a couple of weeks so that the matter could be reviewed by the Commission. The Director replied in the affirmative but stated that he felt that such a delay would be undesirable.

Commissioner Mellon assumed that the staff of the Department of City Planning would bring the matter before the Commission if it were determined that the plans do not meet the guidelines which had previously been established; however, if the plans are found to be acceptable, he felt that the Director should be allowed to report that fact directly to Mr. Vestnys.

Commissioner Fleishhacker felt that the Commission should follow the procedures which had originally been established for review of the plans instead of reopening the entire issue.

Commissioner Porter felt that the Commission should at least hear from people who were present in the audience to comment upon the plans.

Commissioner Fleishhacker asked if Mr. Lilienthal had copies of the plans in his possession. Mr. Lilienthal replied in the negative but indicated that he had seen the plans and had concluded that they violate the guidelines previously established by the Commission in two major respects. He stated that he had been advised by the architect for the project that approximately 20 trees would be removed to construct a new road on the site; and a parking area for 26 cars would bisect an existing grove of trees. He also remarked that the road would be at a higher elevation than the staff had recommended for the proposed buildings; and he suggested that use should be made of the existing road with an underground extension instead.

Fred Selinger, representing Taxation With Representation, stated that whereas Mr. Lilienthal had addressed himself to the conformity of present plans to the urban design terms of reference which had previously been adopted by the Commission, his own position was that no buildings whatsoever should be constructed on the subject site. He noted that since the Commission had previously acted on the proposal, the Department of the Interior had acquired Alcatraz Island; and a proposal is under consideration which would create a regional park consisting of Alcatraz Island and of properties located on both sides of the Golden Gate. Since the El Polin site has historic value, he felt that it should be incorporated into the new park. He also remarked that the Superintendent of Schools had resigned since the time that the matter was previously considered by the City Planning Commission; and it has been rumored that the Commanding General of the Presidio will resign, also. Finally, the Department of Health, Education and Welfare had postponed construction of a new building in the Presidio pending review of the plans for the buildings by a new Federal Review Board. In view of the changes which had taken place, and in view of the Commission's responsibility for protecting the environment, he felt that the Commission's previous approval of the proposed school should be reconsidered.

Michael Fisher, Associate Director of the San Francisco Planning and Urban Renewal Association, indicated that he, also, would favor reconsideration of the Commission's previous approval of the school; however, if the Commission were not willing to reopen the entire issue, he hoped that it would schedule a public meeting for consideration of the plans which had been submitted before making a recommendation to the Board of Education. While he realized that a lease had already been signed for the school, he regarded the Golden Gate Recreational Area proposal as one of considerable substance and one of considerable importance to the Bay Area. Under the circumstances, he felt that a one-week postponement of action on Mr. Vestnys' request for a report on the plans would not be unreasonable.

Commissioner Fleishhacker felt that the Commission should [illegible] the procedure which had originally been established for review of [illegible] instead of reopening the entire issue.

Commissioner Porter felt that the Commission should [illegible] the people who were present in the audience to comment upon the plan.

Commissioner Fleishhacker asked if Mr. Lillienthal had copies of the plans in his possession. Mr. Lillienthal replied in the negative but indicated that he had seen the plans and had concluded that they violate the guidelines previously established by the Commission in two major respects. He [illegible] that he had been advised by the architect for the project that approximately [illegible] would be required to construct a new road on the site; and a parking area [illegible] would [illegible] an existing grove of trees. He also indicated that the road would be at a higher elevation than the staff had recommended for the proposed building; and he suggested that use should be made of the existing road with an underground extension instead.

Fred Feininger, representing [illegible], With [illegible], stated that [illegible] Mr. Lillienthal had [illegible] [illegible] to the [illegible] of [illegible] plans to the urban design [illegible] reference would [illegible] plans [illegible] been [illegible] the Commission. He [illegible] no buildings [illegible] would [illegible] on the subject site. He noted that since the Commission had previously acted on the proposal, the Department of the Interior had acquired Alcatraz Island, and a proposal is under consideration which would create a national park consisting of Alcatraz Island and of property located on both sides of the Golden Gate. Since the El Polin [illegible] historic value, he felt that it should be incorporated into the new park. He also remarked that the Superintendent of [illegible] had [illegible] that the matter was previously considered by the City Planning Commission; and it has been [illegible] the Commanding General of the [illegible] also. Finally, the Department of Health, Education and Welfare had postponed construction of a new building in the Presidio pending [illegible] of the plans for the buildings by a new Federal review board. In view of the changes which had taken place, and in view of the Commission's [illegible] for protecting the environment, he felt that the Commission's previous approval of the proposed school should be reconsidered.

Michael Fisher, Associate Director of the San Francisco Planning and Urban Renewal Association, indicated that he also would favor reconsideration of the Commission's previous approval of the school; however, if the Commission were not willing to reopen the entire issue, he hoped that it would schedule a public hearing for consideration of the plans which had been submitted [illegible] by the Board of Education. While he realized that a lease had already been signed for the school, he regarded the El Polin [illegible] as one of considerable importance and one of considerable importance to the [illegible]. Under the circumstances, he felt that a one-week postponement of [illegible] Mr. Vestey's request for a review of the plans would not be unreasonable.

Commissioner Porter asked if SPUR anticipated that the Federal Government would change the Presidio from an Army Post into a National Park. Mr. Fisher replied that his organization was quite hopeful that certain portions of the Presidio would be designated as recreational areas and placed under the jurisdiction of the Department of the Interior. He remarked, however, that national recreational areas are of lesser status than national parks.

Commissioner Mellon commented on the fact that Congressman Mendel Rivers, Chairman of the House Armed Services Committee, had visited San Francisco two weeks ago and had made a very strong statement to the effect that the Army would not give up the Presidio under any circumstances as long as he retains his position as Committee Chairman.

Commissioner Porter remarked that millions of dollars a year are brought into San Francisco by the Army; and she felt that removal of the Presidio would have a serious economic impact on the City.

Commissioner Ritchie stated that his primary concern at the present time was the historic and scenic site within the Presidio which was proposed to be used for a school. He had not been a member of the Commission when the school project was originally proposed; and he felt that he should have an opportunity to see the plans which had been submitted for the proposed facility. Therefore, he moved that the matter be taken under advisement and that the plans be reviewed by the Commission at a public meeting at a later date. The motion failed for the want of a second.

Commissioner Mellon moved that the plans be brought before the Commission for review only in the event that the Director should find that the plans do not conform to the guidelines which had previously been established by the Commission. This motion was seconded by Commissioner Fleishhacker.

Commissioner Newman offered a substitute motion to instruct the Director to meet with interested members of the Commission and the public regarding the plans and to report back to the full Commission before transmitting a report to the Board of Education. The substitute motion failed for want of a second.

When the question was called on the original motion, the Commission voted 6-1 to request the Director to bring the plans before the full Commission only in the event that it is determined by the staff of the Department of City Planning that the plans do not meet the guidelines previously established by the Commission. Commissioners Finn, Fleishhacker, Kearney, Mellon, Newman, and Porter voted "Aye"; Commissioner Ritchie voted "No".

The Director informed the Commission that Mayor Alioto had requested the assistance of the Department of City Planning in developing a possible route or routes for connecting the Golden Gate Bridge with the Bay Bridge, observing the Mayor's previously stated position that this route must be underground and not include the removal of the existing elevated Embarcadero Freeway. The Mayor

Commissioner Porter asked if SPUR anticipated that the Department would [illegible] the Presidio from an Army Post into a National Park. Mr. [illegible] replied that the consolidation was quite hopeful that certain portions of the [illegible] would be designated as recreational areas and placed under the jurisdiction of the Department of the Interior. He mentioned, however, that additional areas, such as lesser extent than national parks.

Commissioner [illegible] commented on the fact that Congressman Gerald R. Ford, member of the House Armed Services Committee, had visited San Francisco two weeks ago and had made a very strong statement to the effect that the Army would give up the Presidio under any circumstances as long as he became his position as Committee Chairman.

Commissioner Porter remarked that [illegible] of dollars a year are [illegible] San Francisco by the Army, and asked if their removal of the Presidio would [illegible] a priority consideration on the City.

Commissioner Mobile stated that his primary concern at the present time was the industrial and scenic site within the Presidio which was proposed for the [illegible] consolidation. He had not heard a statement of the consolidation when the local proposal was originally proposed; and he felt that it would help an opportunity to see the plans which had been submitted for consideration. Therefore, he [illegible] that the matter be put under advisement and that the plans be reviewed by the Commission at a future meeting or a later day. The motion failed for the lack of a second.

Commissioner [illegible] moved that the plans be brought before the Commission for review prior to the meeting that the Director or should SPUR that the planned use conflicts to the guidelines which had previously been established by the Commission. This motion was seconded by Commissioner Blackmer.

Commissioner [illegible] offered a substitute motion to instruct the Director to [illegible] interested members of the Commission and the public concerning the plans and to report back to the Commission prior to transmitting a report to the Board of Supervisors. The substitute motion failed for want of a second.

[illegible] the original motion, the Commission voted [illegible] the Director to bring the plans before the full Commission [illegible] that it is determined by a staff of the Department of City Planning that the Commission not meet the guidelines previously established by the Commission. Commissioners Blackmer, Blasbury, Lazarus, [illegible] voted "Aye". Commissioner [illegible] voted "No".

The Director informed the Commission that Mayor [illegible] had requested the assistance of the Department of City Planning in developing a feasible [illegible] for consolidating the Golden Gate Bridge with the Fort Baker, therefore the Director's preliminary staff position that this [illegible] be considered and [illegible] the removal of the existing elevated Embarcadero Freeway. The Mayor

had also asked the Director to attend a meeting of the Regional Transportation Planning Committee next Wednesday evening to advise the Committee of City policies, design criteria and routing alternatives which must be adhered to by the State in any freeway proposals developed for San Francisco. The Director indicated that he will report more fully to the Commission on this matter next Thursday.

The Director advised the Commission that the Board of Supervisors, in adopting the Ocean Beach Variable Special Height District which had been recommended by the City Planning Commission, had expressed concern as to the adequacy of the 40-foot height limit being established for the Cliff House and former Sutro Baths area. The Board had stressed the importance of preserving views from public areas and the maintenance of the land forms and other natural attributes of the area; and it had requested the City Planning Commission to consider a basic height limit of 20 feet for the area with the possibility of permitting a total height of up to 40 feet through conditional use authorization. The Board also requested the Commission to consider any other means which might be employed to preserve views from public areas and to maintain the land forms and other natural attributes of the area in the vicinity of the Cliff House-Sutro Baths properties. As a result of those requests, the Director indicated that he had prepared a draft resolution for consideration by the Commission which would declare the Commission's intention of holding a public hearing to hear such proposed amendments to the City Planning Code. The resolution would also authorize the Zoning Administrator to set a time and place for the hearing .

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6546.

PRESENTATION OF IMPROVEMENT PLAN FOR RESIDENCE -- A PROPOSAL FOR CITIZEN REVIEW

The report was presented and summarized by Allan B. Jacobs, Director of Planning, and Peter Groat, Planner IV, Urban Systems Analyst. The report, which is available in the files of the Department of City Planning, will be the subject of intensive citizen review before any action is taken on the proposals which it contains.

The meeting was adjourned at 3:55 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

[illegible]

[illegible]

[illegible]

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, June 18, 1970.

The City Planning Commission met pursuant to notice on June 18, 1970, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: James S. Kearney, President; Walter S. Newman, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Robert Passmore, Assistant Zoning Administrator; William Proctor, Planner IV; Phoebe H. Brown, Planner IV; Dennis Ryan, Planner III - Urban Design; Daniel Sullivan, Planner III (Zoning); Patricia Peterson, Planner II; Emily Hill, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Scott Blakey represented the San Francisco Chronicle; and Patrick Corman represented the San Francisco Progress.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, introduced Kathleen Knight, James Sharp and Arnold Hollander, three Planning Interns working with the Department of City Planning during the summer.

The Director reminded members of the Commission of a field trip scheduled for next Thursday, June 25, at 1:00 p.m. to visit properties scheduled for consideration during the zoning hearing on July 2.

The Director informed the Commission that the Planning and Development Committee of the Board of Supervisors will meet next Tuesday afternoon to continue its hearing on proposed height limits for the area around the Ferry Building.

Phoebe H. Brown, Planner IV, advised the Commission that an amendment had been proposed to the preliminary plan for the Hunters Point redevelopment project area to include various small parcels of property having a total area of 3.3 acres within the boundaries of the project; and she indicated that the various parcels of property to be included within the project area would be devoted to land uses similar

MINUTES
OF THE
CITY PLANNING COMMISSION

Minutes of the regular meeting held Monday, June 14, 1971

The City Planning Commission met pursuant to notice on June 14, 1971, at 4:15 p.m. in the Council Chamber, City Hall, San Diego, California.

PRESENT: James S. Dorney, President; Walter S. Hansen, Vice President; Irene G. Dunn, Mortimer Fleischhacker, Thomas C. Galvin, and Theodore M. Gordon, and Acting Director, Department of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allen G. Jacobs, Director of Planning; T. Spencer Steele, Assistant Director-Implementation; Robert Hassure, Assistant Zoning Administrator; William Prosser, Planner IV; Brooke H. Crosby, Planner IV; Dennis Lynch, Planner III - Urban Design; Daniel Sullivan, Planner III (Zoning); Patricia Peterson, Planner III; Polly Hill, Planner I; and Lynn M. Ross, Secretary.

Donald Duncan represented the San Diego Convention Center Authority; Robert Wade, San Diego Chamber of Commerce; and Patricia Dunn represented the San Diego Convention Bureau.

CONSENT CALENDAR

Allen G. Jacobs, Director of Planning, introduced Andrew Kolpin, Dave Kemp and Harold Wilkinson, three Planning Interns working with the Department of City Planning during the summer.

The director reviewed matters of the consideration of a fully self-contained San Diego Waterway, June 22, at 4:00 p.m. as well as other proposals scheduled for consideration during the Council hearing on July 2.

The director informed the commission that the Planning and Development Committee of the Board of Supervisors will meet here Monday afternoon to continue its hearing on proposed master plans for the area around the Ferry Building.

Brooke H. Crosby, Planner IV, advised the Commission that an amendment has been proposed to the preliminary plan for the Mission Valley redevelopment project area to include various small parcels of property having a total area of 2.2 acres within the boundaries of the project, and the relations that the various owners of property to be included within the project area would be involved in land use studies

to those which had been designated for adjacent properties by the Hunters Point Preliminary Plan. Referring to a map posted on the wall of the meeting room, she described the location of the subject parcels of property.

The Director distributed copies of a draft resolution which he had prepared to approve the proposed amendments to the preliminary plan for the Hunters Point Redevelopment Project area; and he recommended that the draft resolution be adopted.

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Newman, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6547.

Acting on the recommendation of the Director, the Commission voted unanimously to schedule a public hearing on the Improvement Plan for Residence on the evening of Thursday, July 9, at 7:30 p.m. The regular afternoon meeting which would have been held on that date was cancelled.

At this point in the proceedings, Commissioner Porter arrived in the meeting room and assumed her seat at the Commission table.

The Director distributed and summarized a memorandum which he had prepared for presentation to the Regional Transportation Planning Committee of ABAG in response to a request made by Mayor Alioto. The memorandum, which is available in the files of the Department of City Planning, detailed the design criteria which should be met if a freeway connection is to be made between the Golden Gate Bridge and the Bay Bridge and provided two alternative routings and programs of action which would achieve that link.

Commissioner Porter asked if other City departments had endorsed the recommendations contained in the memorandum. The Director replied in the negative, remarking that while some discussions had been held with the Department of Public Works regarding some of the recommendations, nothing had been said which would commit that Department to support the position which he had taken. In any case, he did not propose to ask that action be taken on the recommendations by the Commission at the present time.

Commissioner Porter, noting that the memorandum had provided that the elevated Embarcadero Freeway must be removed if a freeway connection is to be made between the Golden Gate Bridge and the Bay Bridge, asked about the possibilities of that event occurring. The Director replied that it would be impossible for him to make an accurate estimate of the possibilities for removal of the elevated freeway structure since he did not know how strongly the citizens and

To those which has been requested for different purposes by the Hunters Point Freightway Plan, relating to a map posted on the wall of the meeting room. The meeting the location of the subject parcels of property.

The Director gave a brief report of a draft resolution which he was preparing to support the proposed amendments to the Freightway plan for the Hunters Point Redevelopment Project Area and he recommended that the draft resolution be adopted.

After discussion, it was moved by Commissioner Sullivan, seconded by Commissioner Gordon, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 8447.

Acting on the recommendation of the Director, the Commission voted unanimously to publish a public hearing on the improvement plan for Embarcadero on the morning of Thursday, July 7, at 10:30 a.m. The regular afternoon meeting of that date was cancelled.

At this point in the proceedings, Commissioner Porter arrived in the meeting and assumed his seat as the Commission's Chairman.

The Director of the Bureau of Engineering presented a preliminary report on the proposed Embarcadero Freeway Committee of which he is a member to a request made by Mayor Alioto. The recommendations which is available in the files of the Department of City Planning, identifies the design criteria which should be met if a freeway connection is to be made between the Bayshore Cliff Bridge and the Bay Bridge and proposes the alternatives to follow and programs of action which would achieve this aim.

Commissioner Porter asked if some City representative had expressed the reservations which contained in the recommendations. The response indicated to the negative. Considerably that while some discussions had been held with the Department of Public Works regarding some of the recommendations, nothing had been said which would permit that Department to support the position which is the best fashion. In any case, he did not believe it was that action be taken on the recommendations by the Commission at the present time.

Commissioner Porter, noting that the recommendations provided that the elevated Embarcadero Freeway must be removed if a freeway connection is to be made between the Bayshore Cliff Bridge and the Bay Bridge, asked about the possibilities of this event occurring. The Director replied that it would be impossible for him to make an estimate of the possibilities for removal of the elevated freeway structure since he did not know how strongly the citizens and

City Officials of San Francisco feel on the issue or how large a price the State would be willing to pay for removal of the structure.

President Kearney asked what action the Director would want the Commission to take regarding the recommendations contained in the memorandum in the near future. The Director replied that he might wish to request the Commission to endorse the recommendation contained in the memorandum as a means of providing a limited access roadway through the Golden Gate Waterfront corridor. President Kearney stated, and the Director agreed, that public hearings should be held on the matter before any action is taken by the Commission. In the meantime, President Kearney asked that members of the Commission be sent copies of the maps which had been used during the course of the Director's presentation.

The Director then distributed and summarized copies of a memorandum which he had addressed to Wilbert G. Vestnys, Assistant Superintendant of the San Francisco Unified School District, commenting on the extent to which the schematic plans for the school to be constructed on the El Polin site in the Presidio conform or fail to conform to the design terms of reference previously adopted by the City Planning Commission. The concluding paragraph of the memorandum read as follows:

> "The Schematic Plan conforms, in most respects, to the design terms submitted to you. The Plan does not appear to conform in a number of other respects and we would like to make the following recommendations to you:
>
> 1. Location of kindergarten:
> The only acceptable alternate location for the kindergarten is to the north of current site. This would allow room for developing an interior loop road with parking, and not disturb the natural wooded preserve to the south and east or the view from Inspiration Point.
>
> 2. Access road:
> The loop access road between Arguello and West Pacific should be changed. All traffic should enter and exit at Old Quarry Road to Arguello. Automobile intrusion into the site should be at a minimum. Parking and access should not destroy any major trees.
>
> 3. Major trees:
> Because of the lack of specifics on tree size, type and exact location, it is difficult to determine how many major trees will be cut or

City officials of San Francisco had on the issue of the large a price the Board would be willing to pay for removal of the structure.

President Toomey asked what action the Director would take the Commission to take regarding the recommendations contained in the memorandum in the case file. The Director replied that he might ask to request the Commission to endorse the recommendation contained in the memorandum as a means of preserving a limited access roadway through the Golden Gate National Recreation Area. President Toomey stated, and the Director agreed, that public hearings should be held on the matter before any action is taken by the Commission. In the meantime, President Toomey asked that members of the Commission be sent copies of the data which had been used during the course of the Director's presentation.

The Director then distributed and summarized copies of a memorandum which he had addressed to Hilmer C. Veslye, Assistant Superintendent of the San Francisco Unified School District, concerning the extent to which the recreation plans for school in the conversion on the Mt Voisin site in the possible location or fail to conform to the design terms of reference previously adopted by the City Planning Commission. The concluding paragraph of the memorandum read as follows:

> "The Recreation Plan conforms, in most respects, to the design terms adopted by you. The plan does not appear to conform in a number of other respects and we would like to see the following recommendations by you:
>
> 1. Location of buildings:
> The only acceptable alternate location for the kindergarten is on the north of parking site. This would limit use for developing a recreation area with a playfield, and not disturb the natural woodland setting to the south and east of the view from Sutro Heights Point.
>
> 2. Access road:
> The four access roads between playfields and the parking should be changed. All traffic should enter and exit at the Quarry Road to separate automobile interests into the area level by at a minimum. Parking and access should be nearer the major uses.
>
> 3. Sport fields:
> Because of the lack of prediction on tree size, type and exact location, it is difficult to determine how many major trees will be cut as

destroyed. This point should be clarified, and an additional provision agreed upon: Trees not cut should be protected with necessary retaining walls or wells to maintain existing root structure.
(The architect has succeeded well in fitting his plan into the natural topography; however, it is difficult to tell how many trees will be destroyed--not by cutting but by major damage to root systems.)

4. Maintenance of preserve:
The wooded preserve along West Pacific Avenue, to the south of the school, should have a defined program for maintenance. A field survey and the architect's forester consultant support the fact that this preserve is in danger of erosion and eventual loss. Foot travel from the expected school and current neighborhood traffic and the motorcycle use in the preserve will continue to present a problem. Since the San Francisco Unified School District usually relies on janitorial assistance in landscaping, the maintenance of the preserve should be undertaken by the Army.

5. Lighting:
All night lighting of the school and grounds should be kept to an absolute minimum in order not to call attention to the site or to constitute a nuisance to nearby residential development."

President Kearney read a letter which he received from Robert P. Lilienthal, 1 Spruce Street, requesting the Commission to recognize by resolution that the preliminary plans for the school on the El Polin site in the Presidio would violate some of the guidelines which had previously been established by the Commission. He also requested that approval of the site for a school be rescinded until revised plans have been submitted which conform to the Commission's guidelines.

The Secretary read letters which had been received from Paul B. Fay, Jr. and from Sherwood Stockwell, Co-Chairman of the Citizens Action for the Presidio, requesting that action on the plans for the proposed school be delayed until members of the public have had an opportunity to review the plans and to comment upon them.

[illegible]

[illegible]

[illegible]

Commissioner Fleishhacker remarked that no action would be necessary by the Commission since the Director had already transmitted his report to the Board of Education.

Commissioner Newman asked if the Board of Education would have the right to proceed with construction of the buildings even if the design terms of reference which had been established by the City Planning Commission were not met. The Director replied in the affirmative. Under the circumstances, he felt that three possible courses of action were available to the Commission: to remain silent, to adopt a resolution recommending that the recommendations in his memorandum be met before construction ofthe school is begun, or to take a stand that a school should not be constructed on the site in spite of the fact that a judgment approving of a school had previously been made by the Commission.

Commissioner Fleishhacker moved that a resolution be adopted remarking that the plans which had been submitted for the school fail to meet the guidelines previously established by the City Planning Commission and urging that the project not proceed until the recommendations of the Director of Planning are met. The motion failed for want of a second.

Commissioner Ritchie stated that he had made a walking tour of the El Polin site which, at the present time, is a beautiful meadow in the heart of San Francisco. The proposed school would consist of 3.7 acres of buildings; and a great deal of cut and fill operation would have to be made in order to prepare the site for those buildings. Given the present beauty of the site, he felt that construction of the proposed school would be a drastic and terrible thing for the City of San Francisco to do. He indicated that he had also driven through other portions of the Presidio and had found four alternate sites which are level, which would not require cutting and filling operations, and which would be better located for school purposes than the site presently under consideration. Under the circumstances, he regarded the proposal for use of the El Polin site as "land cannibalism"; and he felt that the Commission would be remiss in proceeding with those plans without hearing from concerned members of the public. While he realized that the Commission had previously considered the question of use of the El Polin site for school purposes and had approved such a use, he felt that it would be well worth the Commission's time to take a walking field trip to the site and to reconsider the actions which it had previously taken. He noted that there is a possibility that portions of the Presidio will be included in a Golden Gate Recreational Area to be established by the Federal Government; and various elected public officials, including President Nixon, had recently taken strong stands regarding the preservation of open space.

Commissioner Fleishhacker recommended that no action would be necessary by the Commission since the Director had already transmitted his report to the Board of Education.

Commissioner Lawson asked if the Board of Education would have the right to proceed with construction of the building even if the zoning issue or reference union had been established by the City Planning Commission were not met. The Director replied in the affirmative. Thus, the commissioner, he felt that there possible courses of action were available to the Commission. To remain silent, to adopt a resolution recommending that the recommendations in his memorandum be met before construction of the school is begun, or to take a stand that a school should not be constructed on the site in spite of the fact that a judgment approving of a school has previously been made by the Commission.

Commissioner Fleishhacker moved that a resolution be adopted remarking that the plans which had been submitted for the school fail to meet the guidelines previously established by the City Planning Commission and urging that the project not proceed until the recommendations of the Director of Planning are met. The motion failed for want of a second.

Commissioner Lawson stated that he had made a walking tour of the 21 Polin site which, at the present time, is a beautiful setting in the heart of San Francisco. The proposed school would consist of 3.7 acres of building, and a track and a field of one and half operation would have to be made in order to produce the site for those buildings. Given the present density of the area, he felt that construction of the proposed school would be a desirable and feasible thing for the city of San Francisco to do. He indicated that he had also driven through other portions of the Presidio and had found two alternate sites which are level, which would not require cutting and filling operations, and which would be better suited for school purposes than the site presently under consideration. Under the circumstances, he recommended the proposal for use of the Polin site as land condemnation, and he felt that the Commission should be prepared to proceed with those plans without having first consulted members of the public. Unless he realized that the Commission had previously considered the question of use of the Polin site for school purposes and had approved such use, he felt that it would be well with the Commission's time to take a walking field trip to the site and to reconsider the actions which it had previously taken. He noted that there is a possibility that portions of the Presidio will be included in a Golden Gate International Park to be established by the Federal Government, and various civic and other activities, including President Nixon, had recently been strong advocates concerning the preservation of open space.

He also remarked that Inspiration Point, which is located above the subject site, presently affords one of the most beautiful 180-degree views in the world. However, if the proposed school were to be constructed, 30 or more rooftops would intrude upon the view which would then have only a 90-degree importance. Since he was convinced that at least four other sites are available in the Presidio which would be adequate for the proposed school, he urged the Commission to reconsider the desirability of locating a school on the El Polin site.

President Kearney, noting that the Commission was already late in getting to Room 282 for the scheduled zoning hearing, suggested that the Commission should defer further discussion of the El Polin School site until another time.

Commissioner Newman suggested that a letter be sent to the Board of Education advising that agency of the position of the City Planning Commission if a decision were made to schedule further consideration of the matter at a later date.

Commissioner Mellon stated that he was hopeful that agreement could be reached between the Director and the architect regarding the design terms of reference before the next meeting of the Commission.

The Director remarked that Commissioner Ritchie's concern seemed to extend beyond the design terms of reference; and, if the Commission were to schedule another meeting to consider whether any school should be constructed on the El Polin site, he felt that the Board of Education should be advised of those circumstances.

Commissioner Porter remarked that the proposed school had not been intended solely for use by children living in the Presidio; and, for that reason, the Board of Education had wanted to locate the school on the perimeter of the Presidio.

After further discussion it was moved by Commissioner Newman, seconded by Commissioner Ritchie, and carried unanimously that a special meeting be scheduled on Wednesday, July 8, at 7:30 p.m. in Room 282, City Hall, for further consideration of this matter.

Wilbert G. Vestnys, Assistant Superintendent of the San Francisco Unified School District, advised the Commission that the El Polin site is the last available site in the Presidio on which a school could be constructed. Therefore, if the Commission were to take the position that the proposed school should be constructed on an alternate site, a site would have to be found somewhere outside of the Presidio. In any case, it was his opinion that the architect of the proposed school had met the guidelines which had previously been established by the City Planning Commission.

He also remarked that Inspectorate Entry, which is located above the adjacent site, presently stores one of the most beautiful 180-degree views in the world. However, if the proposed scheme were to be now proposed, 70 or more dwellings would intrude upon the view which would then just only a 90-degree impression. Since he was concerned only at least that other sites are available in the Tremblay which could be adequate for the proposed scheme, he urged the Commission to reconsider the desirability of locating a school on the Tremblay site.

Councillors Gregory, noting that the Commission was already late in getting to Item 17, for the schedule notice hearing, suggested that the Commission should defer further discussion of the Tremblay School site until another time.

Commissioner Lemon suggested that a letter be sent to the Board of Education expressing their anxiety at the quality of the Tremblay Community if a decision were made to schedule further construction of the school on a rental basis.

Commissioner Hudson stated that he was grateful that Commissioner Lemon could be present at the Hearing for the architects regarding the design issues of reference before the Commission.

The Director reminded the Commissioner Gilchrist's concern expressed in earlier meeting regarding the design of reference and, if the Commission were to schedule another hearing to consider the school site, action would be contingent on the Tremblay site. He felt that the Board of Education should be informed of those circumstances.

Councillors further stated that the proposed School had not been included solely for use by children living in the Tremblay and, for that reason, the Board of Education had wished to locate the School on the Tremblay of the Tremblay.

After further discussion it was moved by Commissioner Hudson, seconded by Commissioner Gilchrist, and carried unanimously that a special meeting be scheduled for Wednesday, June 2, at 7:00 p.m. in Room 221, City Hall, for further consideration of this matter.

Gilbert G. Mallory, Assistant Superintendent of the Ottawa Separate School District, advised the Commission that the Board is the last available site in the District on which a school could be constructed. Therefore, if the Commission were to take the position that the proposed school should be constructed on alternative site, a site would have to be found somewhere outside the District. Mr. Mallory said he was sorry that the decision of the Board of the Commission had not coincided with the decision of the Board of Education by the City Planning Commission.

President Kearney introduced Randy Ritchie, son of Commissioner Ritchie, who was present in the audience.

R70.40 Vacation of 10-foot alley between Portola Drive and Juanita Way.

R. Spencer Steele, Assistant Director-Implementation, (Zoning Administrator), reported on this matter as follows:

"The 10-foot wide, 213-foot long alley between Portola Drive and Juanita Way is improved with a sidewalk and contains a 21-inch sewer serving the Mt. Davidson area. It appears to have no necessary pedestrian function since it is only 90 feet from Evelyn Way.

"Four residential properties, zoned R-1-D, have rear or side property lines along the alley. A medical building and its parking lot, zoned C-2 and R-1-D, also abut the alley. All five owners have signed a petition asking that the alley be abolished because:

'The alley has become a source of nuisance and annoyance to us. It is used by young people and sometimes not so young people as a playground; gathering in groups and smoking can frequently be observed; rocks and other missiles are being hurled across fences into our property, damaging it; electric main switches located on the alleyway, for the benefit of the power company, are frequently disconnected, damaging food in freezers and refrigerators; fire has been set twice to hedges; paint has been sprayed on plants and hurled against outside walls of homes; and couples have been observed in compromising situations where children at home may innocently come to view it.'

"The City will have to retain a 10-foot wide sewer easement, to remain unbuilt on, if the alley is vacated to the abutting owners. Some of the properties have meters and garbage cans which are reached from the alley, for which other arrangements would have to be made."

The Director recommended that the proposed vacation be approved as in conformity with the Master Plan.

President Kearney asked if anyone was present in the audience to speak in opposition to the proposal and received a negative response.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the vacation of the 10-foot alley between Portola Drive and Juanita Way, as shown on SUR-1870, is in conformity with the Master Plan provided that the City retains the necessary sewer easement.

At 3:25 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:35 p.m. for hearing of the remainder of the agenda.

3:35 P.M. - Room 282, City Hall

CU70.26 1321 26th Avenue, west line, 100 feet south of Irving Street. Request for expansion of an existing parking lot for the Chapel of the Sunset Mortuary into an R-2 District (under advisement from meeting of June 4, 1970).

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that he had received a letter from Ralph J. McGill, representative of the owners of the subject property, requesting that the application be continued under advisement until the meeting of August 6. He recommended that the request for continuation be approved.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried unanimously that the subject application be continued under advisement until the meeting of August 6, 1970.

CU70.43 444 Divisadero Street, east line, 100 feet south of Fell Street. Request for expansion of a non-conforming automobile washing facility in C-2 and R-4 zoning districts (postponed from meeting of June 4, 1970).

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to remove two existing gasoline pumps and to install eight dual pumps on the R-4 portion of the lot; and three 10,000-gallon gasoline storage tanks would be installed on the site. He stated that the Commission had previously approved reclassification of the residential portion of the subject site so that it could be used in conjunction with the car wash; however, during the 1960 uniform rezoning, the

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fitzsimmons, and carried unanimously that the Director be authorized to report that the vacation of the 10-foot alley between Lincoln Drive and Jackson Way, as shown on Map-1070, is in conformity with the master plan provided that the city retains the necessary sewer easement.

At 3:25 p.m. President Carney announced that the meeting was recessed. Members of the Commission then proceeded to Room 122 City Hall, and reconvened at 3:27 p.m. for hearing of the remaining of the agenda.

3:25 p.m. - Room 122, City Hall

CU70-44 1221 Pacific Street, east line, 100 feet south of Irving Street. Request for expansion of an existing parking lot for the Church of the Sunset Nursery in a C-2 District (under advisement from meeting of June 4, 1970).

E. Conmor Steele, assistant director-implementation (Planning Administration), stated that he had received a letter from Robert J. Lodill, representative of the owners of the subject property, requesting that the application be continued under advisement until the meeting of August 6. He recommended that the request for continuation be approved.

After discussion, it was moved by Commissioner Fitzsimmons, seconded by Commissioner Wagner, and carried unanimously that the subject application be continued under advisement until the meeting of August 6, 1970.

CU70-47 444 Ellsworth Street, east line, 100 feet south of Bell Street. Request for expansion of a non-conforming automobile wrecking facility in C-2 and R-4 zoning districts (continued from meeting of June 4, 1970).

E. Spencer Steele, assistant director-implementation (Planning Administration), reported that the applicant had requested the subject property. He stated that the applicant proposed to remove two existing wooden sheds and to install eight feet high on the R-4 portion of the lot, and three 10,000-gallon gasoline storage tanks would be installed on the site. He stated that the Commission had previously approved reclassification of the residential portion of the subject site, so that it could be used in conjunction with the car wash. However, during the last zoning revision, the

front 120 feet of the site was zoned C-2 while the remainder was rezoned R-4. The existing car wash was then designated as a non-conforming use and given a 1980 expiration date.

George Choppelas, attorney for the applicant, stated that the cost of operating the subject car wash had increased significantly in recent years; and, while other car washes had been installed throughout the city which do not require employees, his client wished to retain the services of the 18 people from the neighborhood whom he presently employs. He indicated that he had recently read in a magazine article that the percentage of automobile washes which sell gasoline has increased in recent years from 5 percent to 63 percent; and he stated that his client is the only car-wash operator in San Francisco who does not have an affiliation with a gasoline distributor. He then distributed photographs which he had taken of other car washes in San Francisco to indicate the current relationship between car washes and gasoline sales.

Mr. Choppelas stated that he was aware that the staff of the Department of City Planning was concerned about the number of pumps which were proposed to be installed on the site; however, he remarked that dual pumps do not require more room than single pumps. He also felt that the staff of the Department of City Planning was concerned about the capital investment which would be required for the new installations because of the possibility that the cost could not be amortized within the next ten years, thus providing an argument for extension of the non-conforming use status of the operation; but the equipment may be installed by the Standard Oil Company and rented to his client on a monthly basis. Mr. Choppelas stated that he was aware of no neighborhood opposition to the subject proposal; and, in fact, the owners of abutting parcels of property have signed a petition in support of the application. He stated that his client had hoped to be able to continue to employ 18 people from the subject neighborhood; however, doing so would require that he be permitted to sell gasoline on the site. He believed that his client is performing a public service; and he felt that he should be allowed to compete with other car washes in the city. His client had recently moved his car-washing activities 43 feet back from the property line so that the sidewalks are no longer used for drying automobiles; and installation of four dual and four single pumps, together with three 10,000-gallon underground tanks, would merely be a continuation of the renovation process which had already been begun. He stated that the Fire Prevention Bureau of the Fire Department had suggested that the pumps be located in the center of the site in order to protect adjacent buildings; and he indicated that his client would be willing to work with the staff of the Department of City Planning to prepare landscaping plans for the site if the subject application were to be approved. In conclusion, he stated that a representative of the Standard Oil Company was present to answer any questions which might be raised by members of the Commission.

front 100 feet of the site was open; the remainder was occupied by a building and yard which was then described as a non-conforming use and under a 100' setback.

Counsel Chapman, attorney for the applicant, stated that the cost of operating the laundry has been increased considerably in recent years; and, while other car washes had been installed throughout the city which do not require employees, his client wished to retain the services of the 11 people from the neighborhood who presently employ. He stated that he had recently read in a trade article that the production of automatic washing with self-washing has increased in recent years from 5 percent to 61 percent; and he stated that his client is the only car-wash operator in San Francisco who does not have an affiliation with a gasoline distributor. He then distributed photographs which he had taken of other car washes in San Francisco to indicate the current relationship between car washes and gasoline sales.

Mr. Chapman stated that he was aware that the staff of the Department of City Planning had recommended about the number of pumps which were proposed to be installed on the site. However, he remarked that that staff had not made a very good study of the pumps. He also felt that the staff of the Department of City Planning had conducted some one-sided investigations which would be supplied for the new investigations [illegible] of the court could not be contested during the past two years, thus requiring a complete [illegible] of the non-conforming use status of the operation. But the requirement had been installed by the Planning Commission [illegible] to his client on a [illegible] basis. Mr. Chapman stated that he was aware of no neighborhood opposition to the subject proposal; and, in fact, the owners of adjoining parcels of property have signed a petition in support of the application. He stated that his client had hoped to be able to continue to employ 11 people from the adjacent neighborhood. However, doing so would require that he be permitted to sell gasoline on the site. He believed that his client is performing a public service; and he felt that he should be allowed to compete with other car washes in the city. His client had recently made the car washing machines all face back from the property line so that the sidewalks are no longer used for drying automobiles; and installation of four dual and four single pumps, together with tanks [illegible] gallon underground tanks, would simply be a continuation of the remodeling process which had already been begun. He stated that the Fire Prevention Bureau of the Fire Department had approved the plans to locate in the corner of the site in order to protect adjacent buildings. He indicated that his client would be willing to work with the staff of the Department of City Planning to provide landscaping plans for the site if the subject application were to be approved. In conclusion, Mr. Chapman stated that a representative of the Bureau of Commercial Use wished to answer any questions which might be raised by members of the Commission.

No one was present to speak in opposition to the subject application.

Mr. Steele recommended that the application be disapproved. He stated that the Traffic Engineering Bureau of the Department of Public Works had advised that there is insufficient space on the subject property for the stacking and servicing of eight dual pumps. Furthermore, since there is already an insufficient area on the site for the drying of automobiles, the increased intensity of activity which would be occasioned by installation of the gasoline pumps would magnify the space problem. He stated that there will be four service stations in the immediate vicinity of the subject site; and he remarked that the applicant had not demonstrated any public need for increasing the number of gasoline pumps in the area. Mr. Steele also remarked that Divisadero Street is a major carrier of traffic; and, given the stacking problems which might develop on the subject site within the next ten years if the subject application were approved, he felt that a negative action should be taken on the proposal. He distributed copies of a draft resolution of disapproval which he had prepared and recommended its adoption.

Mr. Choppelas remarked that the subject car wash had been in existence at least a decade longer than the various service stations located in the area; and he indicated that his client's intent was not so much to expand his business as to maintain competition with his competitors.

Willie Shimek, the applicant, stated that he has more stacking space available on his site than do other car-wash facilities in San Francisco; and he estimated that installation of the new facilities would increase activity of the site at the rate of only two or three automobiles an hour or 1,000 to 1,500 automobiles per month. He stated that his only intention in filing the subject application was to maintain his current level of activity by improving his competitive potential.

Mr. Choppelas stated that his client would be willing to modify his request to involve the installation of only two dual and two single pumps instead of four each.

Commissioner Mellon asked about the hours of operation on the site. Mr. Shimek replied that the car wash is open from 8:30 a.m. to 6:00 p.m.

President Kearney stated that he was concerned about protecting the 18 jobs which are presently available on the site; and he felt that the Commission should approve the application subject to conditions specifying that the authorization would be revoked if

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activity on the site interferes with traffic in the area. Mr. Shimek stated that such a condition would be acceptable to him.

Commissioner Finn suggested that the resolution should specify that the matter would be returned to the Commission for consideration if complaints should be received from either the Department of Public Works or the Police Department regarding conflicts arising because of activities on the subject site.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the subject application be taken under advisement until the meeting of July 2, 1970, in order to enable the staff of the Department of City Planning to prepare a draft resolution of approval with specific conditions for consideration by the Commission.

CU70.47 1241 26th Avenue, west line, 240 feet south of Lincoln Way. Request for increase of occupancy from six to seven persons in an existing residential care home in an R-2 district.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to increase the occupancy of the existing residential care home on the subject site from six to seven persons. No exterior alteration or enlargement of the building was proposed since the additional person would be accommodated in a double room on the second floor. The increase in occupancy would not require any increase in personnel beyond the three persons presently employed.

Mr. Owens, representing the applicant, stated that the increase in occupancy had already been approved by the licensing bureau of the State of California; and, under the circumstances, he hoped that the Commission would be willing to approve the subject conditional use request.

Commissioner Porter asked if the increase in occupancy had been approved by the Department of Social Services. Mr. Lolax, representing the Department of Social Services, replied in the affirmative.

Mr. Owens also advised the Commission that adjacent property owners were supporting the subject application.

No one was present in the audience to speak in opposition to the application.

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Mr. Steele stated that the proposed one-bed addition to the existing residential care home would not create any problems in the subject neighborhood; yet, it would help to meet a medical need of the city. He distributed copies of a draft resolution which he had prepared containing six specific conditions; and, after summarizing and commenting upon the conditions, he recommended adoption of the draft resolution.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6548 and that the application be approved subject to the conditions contained in the draft resolution.

CU70.48 1130-1150 Sacramento Street, 132-138 Sproule Lane, and 1035-1045 Mason Street. Request for a 28-story hotel containing approximately 346 guest rooms, 2 penthouse apartments, dining room, lobby and a three-level automobile parking garage in R-e and R-4 Districts.

The Secretary read two letters which had been received from Burton J. Goldstein, Attorney at Law. The first letter, submitted in behalf of himself and his wife, owners of Apartment 2-D at 1170 Sacramento Street, stated that they had not received any notice of the hearing as required by Section 306.3 of the City Planning Code; and, since he understood that other owners similarly situated had not received notice of the proceedings, he felt that the Commission lacked jurisdiction to proceed with the hearing. The second letter, submitted in behalf of Mr. and Mrs. Theodore Rosenberg, owners of Penthouse B and C at 1170 Sacramento Street, requested that the hearing be postponed for at least 30 days to allow sufficient time to review plans for the proposed project and to obtain expert assistance to analyze the traffic problems which the proposed hotel might cause.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that notices of the hearing had been sent out as required by law; however, the assessment rolls had shown Morris and Blanche Rubenstein to be the owners of record of the apartment now occupied by Mr. Goldstein.

Richard Bancroft, attorney for Stanley and Marion Herzstein, stated that their notice of the public hearing had been misaddressed; and, as a result, the adequate notice required by law was not provided in their case. He also remarked that the notice had not been detailed enough to permit the recipients to distinguish the extent to which the

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project now being proposed would differ from the project which had already been approved by the Commission. And, as a result, the number of people in attendance was lower than it ordinarily would have been. Under the circumstances, he felt that it would be a violation of existing statutes and of the right of due process if the Commission were to proceed with the hearing.

Commissioner Porter asked if Mr. Bancroft were suggesting that the Commission should re-issue and post a notice of which he approved. Mr. Bancroft replied in the regative; however, he did request that a reasonable notice be sent to the owners of the properties in the area worded in such a way that they could understand the issue and make an intelligent decision as to whether or not they should appear at the hearing.

Commissioner Porter believed that the owners of property in the area are intelligent; and she remarked that everyone who was interested had previously appeared at meetings of the Commission when the original proposal was being discussed.

Mr. Bancroft stated that he did not wish to disagree with Commissioner Porter; however, he doubted that all of the property owners in the area had understood the significant changes which would occur if the subject application were approved.

President Kearney asked for a show of hands of the number of persons in the audience who were interested in the subject application. A large number of people raised their hands.

Mr. Goldstein, who was present in the audience, stated that his deed to the apartment at 1170 Sacramento Street had been a matter of record since 1969; and, since he had been paying taxes on the property, he felt that he should have received notice of the present hearing. He indicated that he had also reviewed the mailing list on file at the Department of City Planning and had noticed that many people who do own property in the area were not on the list. He did not know how the mailing list had been compiled; but it was obviously incorrect. Under the circumstances, he urged that the hearing be postponed so that all interested parties would have an opportunity to familiarize themselves with the details of the application.

Mr. Steele referred to land use and zoning maps to describe the subject property. He stated that a 270-room hotel had already been authorized for the southern half of the subject site as a conditional use after a series of hearings had been held in 1968 by the City Planning Commission and by the Board of Supervisors on appeal. He stated that the applicants now proposed to expand the hotel site by the addition of 8,256 square feet of lot area and to increase the number

rejected because zoning procedures would differ from the program which has already been approved by the Commission. Mr. [illegible] stated, the number of people in attendance was lower than it could truly could have been. During the discussion, he felt that it would be a violation of [illegible] statutes and of the right of due process if the Commission were to proceed with the hearing.

Commissioner Porter asked if Mr. Bancroft felt suggesting that the Commission should re-issue and post a notice of intent be required. Mr. Bancroft replied in the negative; however, he did remark that a reasonable notice should be given so that the property-owners in the area would be aware of what they could anticipate and issue and have an intelligent decision as to whether or not they should appear at the hearing.

Commissioner Porter believed that the owners of property in the area are intelligent and she expected that everyone who was interested had previously appeared at meetings of the Commission when the original proposal was being discussed.

Mr. Bancroft stated that he did not wish to discuss with Commissioner Porter however, he felt that all of the property owners in the area had expressed the significant concerns which would occur if the subject application were approved.

President Keighley asked for a show of hands of the number of persons in the audience who were interested in the subject application. A large number of people raised their hands.

Mr. Goldstein, who was present in the audience, stated that he had been to the Department of City Planning before and been a member of several zoning [illegible], and, although he had been paying taxes on the property, he felt that he had never received notice of the proposed hearing. He indicated, however, he had reviewed the meeting [illegible] of the Department of City Planning and had noticed that many people had been present. He also stated that he was not on the list. He did not know how the mailing lists were compiled, but it was obviously incorrect. Under the circumstances, he stated that the hearing be postponed so that all interested parties could have an opportunity to familiarize themselves with the details of the application.

Mr. Kikuta referred to land use and zoning maps to describe the subject property. He stated that a 270-foot total had already been authorized for the south-half of the subject site as a commercial district. As a result, a notice of hearing had been held on 1963 by the City Planning Commission and by the Board of Supervisors on appeal. He stated that the applicant's proposal to expand the commercial zoning to 1,400 square feet only was and is in keeping the market

of rooms to a total of 348. Six floors would be added to the hotel tower for a new total height of approximately 324 feet above Sacramento Street; and 12 feet would be added to the depth of the tower on the north side. The revised plans would retain the passenger unloading area previously approved in a 20-foot setback along Sacramento Street. Driveways to the garage, in addition to one previously approved on Sproule Lane, would be Ewer Place and Malvina Place; and the service entrance, formerly on Sproule Lane, would be changed to Ewer Place. Off-street parking for approximately 90 individually accessible automobiles would be in a three-level garage stretching from Sproule Lane to Mason Street behind the proposed hotel tower. The roof of the garage, which would be approximately as high as the grade of Sacramento Street, would be landscaped and developed as usable outdoor space for patrons of the hotel. The proposed building would contain the maximum floor area ratio permitted for the subject site.

Mr. Bancroft asked if the Commission intended to take action concerning the objections which had been raised by himself and by Mr. Goldstein. President Kearney replied that he believed that it was the pleasure of the Commission to hear the details of the case before deciding whether to take the matter under advisement.

Commissioner Newman asked if due notice of the hearing had been sent according to law. Mr. Steele replied that notice had been sent in accordance with the law to the best of the staff's ability; however, since at least one addressed envelope had contained a typographical error, it was possible that others might have been sent in error, also.

Commissioner Fleishhacker remarked that a substantial number of people were present in the meeting room who had obviously received notice of the hearing. Under the circumstances, he felt that the Commission should proceed with the hearing as scheduled.

Varnum Paul, Chairman of the Board of Governors of the Nob Hill Apartments, stated that he had asked a number of people to be present to support the request for postponement of the hearing. He stated that the people whom he represented were primarily concerned about the traffic problems which might be generated by the proposed hotel; and they wished to have adequate time to prepare themselves for discussion of that subject.

Mark Stanley stated that he supported Mr. Paul's request for postponement of the hearing.

Ronald Pengilly, attorney for Mr. and Mrs. Antoine Bouvet, stated that his clients, also, wished that the hearing could be postponed.

The Commission then decided to hear from the applicants before acting on the request for postponement.

Robert Patmont, representing the Sacramento-Sproule Lane Corporation, stated that the subject property had been acquired in August, 1969, by the American Hawaiian Steamship Company which is controlled by Daniel K. Ludwig. He indicated that the Ludwig complex is building a luxury resort hotel chain with facilities already under construction in Bermuda and Acapulco. The hotel which was being proposed for San Francisco would be similar to the Regency in New York. It would not be a convention hotel but would use the existing convention facilities of other hotels on Nob Hill. Mr. Patmont emphasized that there is a valid conditional use authorization presently in existence which would permit the construction of a 23-story hotel on the site; however, since his clients were aware of the objections which had been raised during previous hearings by the City Planning Commission and the Board of Supervisors, they had acquired additional property and were proposing modifications in the plans in an attempt to meet the objections which had previously been raised. The additional space would be used for construction of a three-story garage building; and the additional height which would ordinarily be allowed on that property would be transferred to the hotel tower which would be increased in height by six stories and which would be expanded northward a distance of eight feet three inches. The increased height of the tower would not block any views which would not have been blocked already by construction of the 23-story which had previously been approved.

Mr. Patmont emphasized that his clients could have constructed a 23-story hotel tower and an 11-story apartment building on the site without returning to the Commission; however, since other property owners in the area had objected that the original proposal did not provide sufficient open space, his clients had wished to revise the plans to commit themselves permanently to a low-level development on a portion of the site so that 25,074 square feet of open space would be available. The neighbors had also raised objections regarding traffic problems which might have been caused by the original proposal; and he believed that the revised plans would substantially solve that problem by providing that service vehicles would have access to enclosed space inside of the hotel from Mason Street rather than Sproule Lane. In addition, the revised plans would provide 97 independently accessible parking spaces instead of the 37 spaces shown on the original plans.

Mr. Patmont stated that the revised plans for the hotel would leave 70 percent of the site as open space whereas the original plans would have covered all but 43 percent of the site with buildings. While the height of the hotel tower would be increased by six stories, the building would be in basic conformity with the principle of good planning which states that towers should be located on hilltops.

Mr. Patmont stated that the subject application had been filed on April 22 with the understanding that the matter would be scheduled for consideration by the Commission on June 4; however, the date of the hearing had already been delayed two weeks. He stated that meetings had been held with the Nob Hill Association and with representatives of the Nob Hill Apartments to discuss the revised plans; and, as a result of those meetings, he believed that most of the residents of the area were in favor of the revised proposal. Under the circumstances, he hoped that the Commission would not postpone action on the application.

Charles Wiley, representing the firm of John Carl Warnecke and Associates, architects for the applicant, emphasized that the revised plans provided a great opportunity for providing an open area which would be a very important part of the view available from the proposed hotel as well as from the Park Lane Apartments and Nob Hill Apartments. He noted that Sacramento Street carries one-way traffic; and, as a result, only arriving guests would use that entrance to that hotel. All service vehicles would enter an enclosed space within the hotel from Mason Street; and the amount of off-street parking on the site had been increased over the original proposal. The plans had been reviewed and approved by the Bureau of Traffic Engineering of the Department of Public Works. Mr. Wiley acknowledged that the height of the proposed hotel would be greater than the height of the Nob Hill Apartments; however, the same circumstances would be true of the building which had already been approved by the Commission. With the addition of six stories to the hotel tower, it had been necessary to include two additional elevators; and, as a result, the depth of the building had to be increased by eight feet three inches to the north. In conclusion, Mr. Wiley stated that the building would be of high quality and that it would be surfaced with a light-colored material.

Commissioner Porter, noting that the Commission had already approved a 23-story hotel for the subject site, stated that the only issue before the Commission was whether six additional stories should be added to the building and not whether any hotel at all should be built on the site. Given those circumstances, she was most concerned about whether the revisions being proposed in the plans would be of value to residents of the neighborhood who had raised objections regarding the original proposal, particularly in terms of parking and traffic congestion. With that factor in mind, she asked Mr. Wiley to describe the changes which had been made in the revised plans to improve the movement of traffic into and out of the hotel.

Mr. Wiley stated that the applicant's parking consultants had advised that guests arriving at the hotel would prefer to leave their automobiles at the front door. The automobiles would then be taken into the garage by way of Sproule Lane. Later, as guests become

acquainted with the hotel, they will drive directly into the garage either from Mason Street or Sproule Lane; and their final departure from the garage will be from Malvina Place and Mason Street. Under the original plans, all traffic to and from the garage would have made use of Sproule Lane. Mr. Wiley also remarked that while trucks unloading at the Fairmont Hotel use the street and create a difficult situation, all vehicles servicing the proposed hotel would conduct their activities inside the building.

Commissioner Fleishhacker asked what the earliest date would be for returning the subject application to the agenda if no decision were to be made by the Commission at the present meeting. Mr. Steele replied that the matter could be returned to the agenda on August 6 if Mr. Bancroft and Mr. Goldstein would stipulate that the postponement, in addition to the present discussion, would constitute sufficient notice to surrounding property owners of the application. Also, since a longer than usual notice had been published for the subject application, and since no greater detail could be transmitted to surrounding property owners unless actual copies of the plans were to be mailed to each property owner to explain the proposal, he asked that Mr. Bancroft withdraw his statement regarding the inadequacy of the notice which had previously been sent.

Mr. Bancroft replied that while he would not be willing to withdraw his previous objections he would be willing to stipulate that adequate notice had been served for the purposes of his clients.

Mr. Goldstein stated that he, also, would stipulate that adequate notice had been given if the matter were to be postponed until the meeting of August 6. Commissioner Mellon, noting that some of the people who were present in the audience might not be able to be in attendance in August, suggested that it might be desirable to hear from them at the present time.

Mr. Patmont remarked that some of the people who had protested the legality of the notice served by the Department of City Planning had been present at the meeting which his clients had held to discuss the proposed plans with residents of the neighborhood; and, since the date of the hearing had already been postponed for two weeks, and since his clients would face considerable financial penalties if the matter were to be further delayed, he hoped that the Commission would proceed to act on the application as soon as possible.

Commissioner Porter felt that it should be possible to schedule further consideration of the application sooner than the date recommended by Mr. Steele which would occasion a delay of six weeks. Commissioner Fleishhacker agreed and suggested that a delay of only two weeks would be more appropriate.

Mr. Paul asked if a traffic study had been made by the applicants which could be made available to residents of the neighborhood. Mr. Wiley replied that no traffic study had been made of the revised proposal for the hotel.

Mr. Bancroft stated that his clients were very concerned about the proposed hotel; and, while they did not wish to prevent construction of the project, he hoped that the staff of the Department of City Planning could give some consideration to the possibility of abandoning the sidewalk on the east side of Sproule Lane so that residents of the Nob Hill Apartments would have less difficulty getting into and out of their garages.

Ted Moulton, representing the Nob Hill Association, stated that the members of his association were in support of the application and were willing to be of assistance to any interested parties.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried unanimously that the subject application be taken under advisement until the meeting of July 2, 1970, at 2:00 p.m.

At 4:55 p.m. President Kearney announced a five-minute recess. The Commission reconvened at 5:00 p.m. and proceeded with hearing of the remainder of the agenda. When the meeting reconvened, Commissioners Finn and Mellon were absent from the meeting room. Allan B. Jacobs, Director of Planning, was present for the remainder of the hearing.

CU70.49 100 Van Ness Avenue, northeast corner of Fell Street.
Request for an automobile parking lot in a C-3-G District.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the property, which is presently vacant, had formerly been occupied by a gasoline service station. The property had been purchased by the California State Automobile Association which intended to use the site as a parking lot pending future development of the property with an office building. The proposed parking lot would have 44 tandem parking spaces which would be combined with 11 existing parking spaces on property immediately north of the subject site. Access and egress for the newly proposed parking spaces would be by way of a new 28-foot wide driveway on Van Ness Avenue.

Warren A. Staiger, representing the California State Automobile Association, stated the subject property had been acquired only recently from the Standard Oil Company. The property would have to be

surfaced; and his firm hoped to use it as a parking lot until a new office building can be constructed on the site.

Mr. Steele recommended that the application be approved subject to six specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. While he felt that the language of the conditions might be subject to slight changes as a result of further discussions with the applicant, he recommended that the draft resolution be adopted by the Commission during the course of the present hearing.

After further discussion it was moved by Commissioner Newman, seconded by Commissioner Porter and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6549 and that the application be approved subject to the conditions in the draft resolution.

Later in the proceedings, Mr. Staiger remarked that he had not had an opportunity to react to the conditions which had been recommended by Mr. Steele, and he requested that the matter be taken under advisement so that he might have an opportunity to review the conditions with his clients. President Kearney replied that the Commission had already acted on the matter and could not reverse its action; however, he was confident that any possible problems could be worked out through discussions with the staff of the Department of City Planning. *

ZM70.14 Payless Store, 3975 Alemany Boulevard, south line, 313 feet west of Worcester Street. R-2 to a C-2 District.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator) referred to land use and zoning maps to describe the subject property. He noted that the City Planning Commission, acting in 1965, had approved reclassification of a portion of the subject site to C-2; however, with agreement from the applicant, the Commission had retained the existing R-2 zoning district for the portions of the site which would be used for parking and access to the Payless Store. The applicant now wished to erect a commercial sign on the Alemany Boulevard frontage of the site which would be illegal in an R-2 Zoning District; and, consequently, the subject application had been filed to reclassify a strip of land between the C-2 portion of the property and Alemany Boulevard to C-2 to permit the construction of a free-standing illuminated sign 25 feet in height and with an area of approximately 135 square feet.

President Kearney asked about the dimensions of the proposed sign. Mr. Steele replied that the sign would have dimensions of approximately 10 feet by 15 feet.

* (Subsequent to this meeting, and after staff discussed this matter with the City (Attorney's office, it was determined that the representative of the California (State Automobile Association should be permitted to respond to the Commission con- (cerning the conditions recommended by staff before the Commission took final action (on this application. The hearing on the application was thus continued to Aug. 6, (1970 or September 3, 1970.

Phillip M. Jelley, attorney for the applicant, stated that his client had proposed to construct a sign with an area of approximately 135 feet on the Alemany Boulevard frontage of the property; however, having been advised by Mr. Passmore of the staff of the Department of City Planning that the sign could have a maximum area of only 100 square feet since it would be located within 100 feet of a residential district, the sign would have to be redesigned. However, the height and wording of the sign would remain unchanged. He stated that traffic coming onto Alemany Boulevard from 19th Avenue often passes the site of the store before being aware of its presence since no signs presently exist along Alemany Boulevard; and, for that reason, it seemed important to erect a sign which would identify the store. With the present R-1 zoning along Alemany Boulevard, any sign to be constructed would have to be limited to an area of 12 square feet; and, as a result, his clients had proposed that a narrow strip of land running from the store to the Alemany Boulevard property line be rezoned to C-2 to permit the installation of a larger sign. He stated that he had sent drawings of the proposed sign to neighborhood organizations but had not received any response from them; and he indicated that it was his understanding that people were present in the audience to speak in favor of the application.

During the course of Mr. Jelley's presentation, Commissioner Finn returned to the meeting room and reassumed his seat at the Commission table.

President Kearney asked if anyone was present in the audience to speak in opposition to the subject application. No one responded.

Mr. Steele recommended that the subject application be disapproved. He stated that the applicant had demonstrated no public need to extend the commercial zoning to the Alemany Boulevard property line; and he felt that there was no public need for additional sign identification of the existing Payless Store. He noted that the Payless Store is the sole commercial use in the subject neighborhood; and, since the store is housed in a large building with a large parking lot at its front along Alemany Boulevard, he felt that it should be easy for people turning onto Alemany Boulevard from 19th Avenue to realize that they have arrived at their destination.

William Gherra, President of Skaggs Payless Drugstores, advised the Commission that a dangerous traffic situation exists because many automobiles turning onto Alemany Boulevard from 19th Avenue apply their brakes suddenly when they realize that they have arrived at the Payless Store; and, as a result, they had been wanting to install the proposed sign for several years. Mr. Gherra stated that the Payless Store employs 200 people, mostly from minority groups; and he indicated that the store had always co-operated with the City. Under the circumstances, he felt that the City should give

favorable consideration to the subject application.

No one else was present in the audience to speak in favor of the subject application.

Commissioner Fleishhacker asked if the Payless Store is suffering from lack of business. Mr. Jelley replied in the affirmative, indicating that the store had always remained 15 to 20 percent below the business volume which was originally estimated for the site.

Commissioner Fleishhacker then asked if other stores in the Payless chain have experienced a similar phenonmenon. Mr. Gherra replied in the negative indicating that all of the other stores had exceeded the original forecast with the exception of the store in Santa Barbara.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 6550 be adopted and that the subject application be disapproved.

ZM70.16 Bay Street, south line, 71 feet west of Columbus Avenue.
R-3 to an R-4 District.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property, noting that two applications requesting reclassification of the property from R-3 to C-2 had previously been filed. The first application, which was disapproved by the Commission, had been filed in 1963; the more recent application, which had been considered by the Commission on March 5, 1970, had been withdrawn by the applicant. The applicant now requested reclassification of the property to R-4 with the intention of developing the property with low-density professional office space which would be a permitted transitional use in an R-4 District.

Mel Dagovitz, representing the applicant, felt that the structure being proposed for the subject site would benefit the neighborhood. He remarked that the property immediately east of the subject site is developed with a high-intensity commercial use which draws a large influx of traffic and people to the area and which creates a great deal of noise. Under the circumstances, development of the subject parcel of property for residential use would not be desirable. Yet, given the R-3 zoning of the site, the property must be used for residential purposes. Therefore, it was proposed that the property should be classified to R-4 so that an office building could be constructed on the site to serve as a buffer between the commercial activity to the east and the residential neighborhood to the west.

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Mr. Dagovitz felt that the Commission would also be interested in whether the building would add to or detract from views presently enjoyed by adjacent parcels of property. He displayed a rendering of the office building which was proposed for the site and distributed a contour map of the subject property. He advised the Commission that the highest point of the proposed structure would be lower than the lowest point of any buildings located on Bret Harte Terrace. Furthermore, the only individual who had previously objected to the application which had been before the Commission in March had reviewed the plans for the proposed building and had indicated that he felt that the building would benefit the neighborhood. Mr. Dagovitz stated that the proposed change in density from R-3 to R-4 would not have any significant effect on the property's potential for residential development since it would not be practical to build more than 3 units on the site in any case. However, if the property were to be developed residentially, a building with a height of approximately 40 feet would have to constructed whereas the office building which was being proposed would have a height of only 30 feet. In conclusion, Mr. Dagovitz stated that the proposed office building could be authorized only as a conditional use even if the property were to be reclassified to R-4; and, as a result, the Commission would be in a position to establish conditions to control the proposed development.

No one else was present to speak in favor of the subject application.

Mrs. Frank Hinman, representing the Russian Hill Improvement Association, stated that the subject parcel of property had actually been considered by the Commission on three previous occasions, the first being in 1959 when the subject site was approved as a legal lot following a lot split. On that occasion, and twice subsequently, applications had been filed requesting greater density or coverage on the site; and, on each occasion, the Russian Hill Improvement Association had opposed the request. Since the reclassification which was presently being proposed would definitely affect the pattern of development in the adjacent residential neighborhood, and since traffic problems in the area have been increasing, her organization wished to be placed on record once again as being in opposition to the applicant's proposal.

Peter Taussig, representing the estate of Mary Louis Wood, owner of property located at 732-734 Francisco Street, stated that the rendering which had been submitted by the applicant did not accurately portray the character of the subject property which is actually located on a steep grade and which is devoid of trees. He remarked that there has been a great deal of talk about the exodus of the middle class from the city; and he pointed out that the subject neighborhood is a middle-class area. While Columbus Avenue has been developed with commercial uses along its length, properties located

up the slope to the west of Columbus Avenue have been zoned and developed residentially. The property with which he was concerned is located in the subject block and fronts on Francisco Street. To the east of the property is the commercial development along Columbus Avenue; and to the south, across Francisco Street, is the San Francisco Art Institute. Under the circumstances, if an office building were to be constructed on the subject site, the Francisco Street property would be completely surrounded with non-residential uses.

Mr. Taussig advised the Commission that reclassification of the subject property would also have an affect on the adjacent commercially-zoned property which is presently developed with a record shop. Under present circumstances, development on the commercial lot is limited to a floor area ratio of 3.6 to 1; however, if the property were to be located adjacent to an R-4 District, it could be developed to a floor area ratio of 4.8 to 1.

An office building on the subject site would increase non-residential traffic in the neighborhood and would inevitably effect a change of character in the area. While the applicant had contended that the proposed office building would serve as a buffer to insulate residential properties to the west from the raucous commercial record shop use to the east, Mr. Taussig pointed out that the parking lot of the record shop already serves as a buffer of sorts between the two types of uses. In conclusion, he stated that the subject property had been purchased by its present owners after a prior request for reclassification of the property to C-2 had been disapproved; and he felt that the reasons stated by the Commission on disapproving the previous application were still valid.

Ronald Pengilly, representing the owner of property located at Bay and Leavenworth Streets, remarked that approval of the subject application would constitute a classic law school case of "spot zoning;" and he felt that approval of the application would be illegal. In any case, reclassification of the property to R-4 would permit the applicant to build up to twelve residential units on the site without coming back to the Commission for approval if he were able to provide twelve parking spaces on the site. Therefore, the Commission could have no assurance that the proposed office building would be constructed on the site if the property were reclassified even if the Commission deemed the office building to be desirable. Mr. Pengilly, emphasized that the property had been zoned R-3 when it was purchased by the applicant; and the applicant had not demonstrated that the reclassification would be necessary for the public convenience, safety or general welfare. Under the circumstances, he urged that the application be disapproved.

Mr. Steele recommended that the application be disapproved. Since the property is located adjacent to a commercial zone, it will enjoy transitional status whether it is zoned R-3 or R-4; and he noted that reclassification of the property would permit both it and the adjacent commercial property to be developed to a higher density. If an office building were to be constructed on the site, and if it were to have a floor area of less than 5,000 square feet, no parking would be required; and, if the property were to be classified to R-4, the Commission would have no way of preventing the increased residential density which would be permitted by that zone from being built. In conclusion, he stated that the proposed reclassification would be a spot zone of doubtful legality; and he felt that it could result in development of the property in a manner which would be detrimental to adjacent properties. Therefore, he recommended that the Commission adopt a draft resolution of disapproval which he had prepared for its review.

Mr. Dagovitz pointed out that the use of the commercially-zoned property on the east of the subject site has changed in character during recent years; and, as a result, he felt that no one could contend that the character of the neighborhood had not been changed. If the Commission were willing to approve the subject application, he believed that the owner of the property would be willing to accept any legal conditions which might be established by the Commission as a basis for the rezoning.

Mr. Steele stated that the Commission does not have legal authority to establish conditions when approving zone changes.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6551 be adopted and that the subject application be disapproved.

ZM70.17 South Bayshore area, Parcel 1: area bounded by Bancroft Avenue, the Bulkhead Line, the San Mateo County Line, Bolt Avenue, LeConte Avenue, Alvord Avenue, and Jamestown Avenue.
M-2 to an R-1-D District.
Parcel 2: area bounded by Donahue, Egbert, Earl, Bancroft, Bolt, Jamestown, Alvord and LeConte Avenues and the easterly boundary at Candlestick Park.
M-2 to an R-2 District.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the

subject property. Referring to an aerial photograph of the property, he noted that a large portion of Parcel 1 consists mainly of unfilled tidelands with approximately 6.25 acres of filled land used primarily for open storage. Parcel 2 consists of filled tidelands, predominantly in open uses such as tow-car association-automobile storage, contractor storage, open dumps, used brick yards and building material storage with accessory indoor storage buildings. Two square blocks within Parcel 2 remain unfilled. He stated that the Bayview-Hunters Point Model Neighborhood Agency had requested that the subject properties be reclassified so that they would be zoned as near as possible to conform with the proposals of the South Bayshore Master Plan which was adopted by the Commission on February 19, 1970. That plan called for use of the subject properties for residential development, recreation, and open water.

Commissioner Ritchie asked if the unfilled properties under consideration could ever be filled at a later date. Mr. Steele replied that the staff of the Department of City Planning had been informed that permits are in existence allowing only two small parcels of property covered by the subject application to be filled.

Michael McCone, representing Harold Brooks, Chairman of the Bayview-Hunters Point Model Neighborhood Agency, and Special Assistant to the Mayor for Model Cities, remarked that the subject properties are included in the Bayview-Hunters Point Model Neighborhood area; and he indicated that the staff of the Model Cities Agency had worked closely with the staff of the Department of City Planning to determine the best uses for their area. He remarked that the City may obtain a Federal grant to aid in the implementation of the South Bayshore Plan; and he noted that the subject properties are a very important part of that Plan. Under the circumstances, he felt that it was important that the subject application should be approved.

Mrs. Morse Erskine, representing People for Open Space, commented that there is a battle going on in the Bay region with regard to open sapce; and she remarked that the San Francisco Bay shore is an important part of that battle. She stated that the quality of our environment will depend upon the amount of open space which we are able to preserve; and she noted that the subject properties constitute the only small portion of the Bay shore available for use as open space. She felt that the developments proposed for the subject properties in the South Bayshore Plan would bring life and beauty to the surrounding neighborhood; and she urged that the subject application be approved.

Espinola Jackson, a Commissioner on the Bayview-Hunters Point Model Neighborhood Agency, stated that the Agency had met on the previous evening and had adopted a resolution re-enforcing their

previous request for reclassification of the subject properties.

Reuel Brady stated that he considered implementation of the South Bayshore Plan to be of vital importance to the subject neighborhood; and he felt that the Bay should be used for water sports and boats rather than for freeways and automobiles. He, also, urged that the subject application be approved.

Michael Fischer, Associate Director of the San Francisco Planning and Urban Renewal Association, stated that it was the opinion of his organization that the South Bayshore Plan was one of the most important plans ever adopted in San Francisco. He felt that adoption of the plan represented a commitment to the Bayview-Hunters Point community and a commitment to neighborhood planning; and he believed that the action which would be taken by the Commission on the subject application could be viewed as an indication of the importance given to that plan by the Commission.

Elaine Sundahl, representing the Potrero Hill Residents and Home Owners Council, hoped that the subject application would be approved. She stated that members of her organization had been working with the staff of the Department of City Planning to develop plans for the waterfront at the base of Potrero Hill; and, as a result, they were aware of the importance of finding a way to provide access to the water for people who live within one block of the Bay.

Betty Shaefer stated that she lives on the other side of the city; however, she has two small children who enjoy having access to the water. Therefore, she urged the Commission to approve the subject application so that some of the City's waterfront can be used for recreational activities instead of for commercial purposes.

W. H. Gilmartin, representing San Francisco Tomorrow, stated that he hoped that the subject application would be approved.

George Reed, a member of the staff of the Bay Conservation and Development Commission, stated that his agency had worked closely with the staff of the Department of City Planning in preparing plans for the South Bayshore area. He stated that the proposed reclassification of property was in line with the policies outlined in the BCDC plan; and he believed that approval of the reclassification would constitute a serious step forward in the implementation of the Commission's own plan for the South Bayshore area. He urged that the proposed reclassification be approved.

Alan Rosenberg, owner of unfilled property included in the subject application, asked if he would be allowed to fill his property at some future point in time. Mr. Reed replied that priorities have been established to permit certain types of fill as necessary; however, the general policy adopted by his agency was that tidelands in the subject neighborhood should not be filled. In any case, any fill application which might be filed would have to be reviewed by the Bay Conservation and Development Commission.

Mrs. Stack, a housewife, remarked that most of San Francisco's waterfront is used for port or industrial purposes which have nothing to do with families and housing. Under the circumstances, she was in favor of the rezoning which was being proposed and urged that the subject application be approved.

The Secretary read a letter which had been received from John L. Burton, Assemblyman for the 20th District, urging approval of the application which had been filed by the Bayview-Hunters Point Model Neighborhood Agency. The Secretary also indicated that Edward H. Lawson, Manger of the City Planning Department of The Greater San Francisco Chamber of Commerce, had asked to be recorded as being in support of the application.

Sam Leonetti, speaking both for himself and for other people who own parcels of property included in the subject application, stated that he had been engaged in filling operations for the past 15 years; and he indicated that he had active filling permits on file which the City had been holding for the past 6 or 8 months. He stated that he wished to complete the project which he had begun; and he doubted that the Commission would have proposed a change of zoning at this point if his project had been carried out under the auspices of a firm such as the Bank of America. He stated that the subject neighborhood is unsafe to go into at night; and, for that reason, he did not believe that the area would be suitable for housing. In his opinion, the best use of the property would be for a STOL/port; and he advised the Commission that such a facility had been proposed for the area. In conclusion, he distributed photographs of the area to indicate that more of the land is actually filled than had been reported by the staff of the Department of City Planning.

At this point in the proceedings, Commissioner Ritchie absented himself from the meeting room for the remainder of the meeting.

Steve Wong, a member of the Tow-car Association, stated that some of the subject properties are vital to earning a living by towing and disposing of automobiles; and he did not feel that the zoning of the property should be changed at this time. He also remarked that the Bay water in the subject neighborhood is stale; and, therefore, he did not believe that residential zoning would be suitable.

Mr. Treten, owner of property included in the subject application, asked how it would be possible to build anything on underwater lots if they cannot be filled.

Joe Devincinci, president of Murphy Properties, stated that his firm owns several blocks of property which were included in the subject application; and he indicated that two of the blocks owned by his firm are leased to the Tow-car Association, an organization which provides a public service. While he did not necessarily wish to oppose the subject application, he did wonder how the proposed reclassification of property would affect the proposed Hunters Point Freeway. The Director replied that the proposed change of zoning would not affect plans for the Hunters Point Freeway.

Mr. Grant, in summing up, commented that most of the Commission's present work is based not just on technical problems but also involves the social-economic and housing. Under the circumstances, he was in favor of the resolution which was before proposed and asked that the subject application be approved.

The secretary read a letter which had been received from Mr. [illegible], Chairman for the Grant District, urging approval of the application which had been filed by the Pre-Fab-Homes [illegible] Corporation. The Commission also received a letter from Mr. [illegible], Manager of the City Planning Department of the Production Chamber of Commerce, and asked to be recorded as being in favor of the application.

Mr. [illegible], speaking for the Mayor and the other petitioners, stated that the [illegible] of property included in the subject application, stated that it had been required by [illegible] conditions for the past 15 years and [illegible] existing [illegible] on file which the City had been holding for the past 5 or 6 months. He stated that he wished to see the project which had been approved [illegible] be developed and the conditions which had been proposed a number of months at that point in this project had been carried out [illegible] the completion of the [illegible] as the [illegible] stated that [illegible] neighborhood is [illegible] to [illegible] and, for that reason, he did not believe that the area would be suitable for [illegible]. In his opinion, the best use of the property would be a [illegible] and he asked the Commission that [illegible] a facility and been [illegible] for the area. In conclusion, he distributed photographs of the area to include that area in the land is actually filled [illegible] by the [illegible] of the Department of City Planning.

At this point in the proceedings, Commissioner [illegible] left the meeting room for the remainder of the meeting.

Mr. [illegible], a member of the Grant Association, stated that some of the subject properties are valid for operating a [illegible] and [illegible] and it did not feel that the zoning of the property should be changed at this time. He also stated that the water in the [illegible] should be [illegible] dual, therefore, he was not [illegible] that [illegible] should be [illegible].

Mr. [illegible], owner of property included in the subject application, stated it would be possible to [illegible] a [illegible] on [illegible] if it was [illegible].

The President, [illegible] of [illegible] Corporation, stated that the first [illegible] of property which were included in the [illegible] application [illegible] that two of the blocks owned by the [illegible] are leased to the [illegible] Corporation, an organization which provides a public service. He [illegible] wish to oppose the subject application, as did [illegible] the [illegible] of property which might [illegible] the proposed Shelton Point Housing. He stated that the proposed change of zoning would not [illegible] for the future [illegible].

Mr. Devincinci then asked why Block 4906 had not been included in the subject application. The Director replied that the block referred to by Mr. Devincinci had been indicated for industrial use in the South Bayshore Master Plan; and, therefore, it had not been included in the Model Neighborhood Agency's application for reclassification.

Mr. Devincinci then asked if the six blocks which were to be used for parking for Candlestick Park had been included in the subject application. The Director replied in the negative.

Mr. Treten asked what effect the proposed rezoning would have on underwater lots which cannot be filled. The Director replied that the proposed change in zoning would probably not have any effect on those lots since they could not be developed in any case.

Mr. Treten then asked how the proposed rezoning would affect future development of underwater properties if it should prove feasible to fill the properties at some future date. The Director replied that the City Planning Commission had already gone on record with adoption of the South Bayshore Plan that properties presently under water in the South Bayshore area should not be filled; and the Board of Supervisors had recently adopted a resolution asking all Departments and Agencies of the City to aid wherever possible in implementation of the South Bayshore Plan. Under the circumstances, he did not feel that properties presently under water would be filled.

Mr. Rosenberg asked why it would be necessary to reclassify the underwater properties as proposed if in fact they could not be filled or developed in the future. The Director replied that the residential zoning which was being proposed would be most consistent with the uses recommended in the South Bayshore Plan.

Mr. Leonetti inquired if reclassification of the properties would lessen their value, thus making it possible for the City to purchase them less expensively. The Director replied that such a determination would be made by the Assessor; however; since the properties are located under water, his own opinion was that the proposed reclassification would have a marginal effect on their value.

Commissioner Porter stated that it was her impression that residentially-zoned land is more valuable per square foot than industrial land. The Director confirmed the validity of that fact.

The Director recommended that the subject application be approved. He noted that the proposed rezoning would be completely in conformity with the South Bayshore Plan which had previously been adopted by the Commission and which had gained a great deal of public support. He remarked that much of the land included in the subject application would be precluded from use for industrial purposes because of the BCDC Plan; and he indicated that soil conditions would preclude industrial development of most of the remainder of the property. With regard to issues which had been raised during the course of the public hearing, he noted that the Tow-car Association could continue its operations on portions of the subject property as a legal non-conforming use if the present operations are conducted under a valid permit at the present time. While a member of the audience had

inferred that there are active permits which would allow additional fill of underwater properties which had been included in the subject application, the staff of the Department of City Planning had been advised by the Department of Public Works that no such permits are active at the present time. With regard to the proposal for a STOL/Port to be located in the subject area, the Director indicated that the staff of the Department of City Planning had reviewed that proposal and had taken the opinion that since the purpose of a STOL/Port is to serve the center of the city, property in the vicinity of Candlestick Park would be an improper location for such a facility.

After further discussion it was moved by Commissioner Porter, and seconded by Commissioner Newman that the application be approved.

A lady who was present in the audience asked why taxes keep going up on underwater properties if they are worthless. The Director replied that the underwater properties are obviously not worthless; however, he repeated his contention that zoning does not affect the value of such properties.

Mr. Rosenberg asked the Director if he would be willing to recommend to BCDC that permits be granted for construction of housing on the subject properties if they were to be reclassified for residential use. The Director replied that he would be prepared to recommend the construction of any housing indicated in the South Bayshore Plan; however, he would not be willing to recommend construction of housing on properties which the Plan proposes to have remain underwater.

Mr. Rosenberg then asked if any special zoning exists which could be used for underwater land. The Director replied that no such zoning classification exists; and, since zoning itself does not have any effect on properties which are located under water, he did not see the need for proposing such a classification.

After further discussion the question was called and the Commission voted unanimously to adopt Resolution No. 6552 and to approve the subject application.

CU70.69 144-148 Spear Street, west line, 183 feet south of Mission Street.
Request for automobile parking lot in a C-3-O District.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the applicant had proposed to use the subject property for an automobile parking lot on an interim basis. The lot would accommodate approximately 96 attendant-parked automobiles.

Stephen Leonoudakis, attorney for the applicant, confirmed that the proposed parking lot would be an interium use. He stated that a four-foot anchor fence with redwood slats would enclose the site; and six trees in 16-gallon containers would be placed across the front of the property. Catch basins would be installed; and one identifying sign measuring 4 feet by 6 feet would be located

inferred that there are serious problems which would allow additional fill or under-water properties which had been included in the original application. The staff of the Department of City Planning had been advised by the Department of Public Works that such properties are active at the present time. With respect to the proposal for a Conditional Use in the subject area, the Director indicated that the staff of the Department of City Planning had reviewed this proposal and had taken the position that since the purpose of a CU\Ord is to serve the owner of the city property in the vicinity of Condideration Park would be an improper basis for such a Conditional.

After further discussion it was moved by Commissioner Porter, and seconded by Commissioner Kemp, that the application be approved.

A lady who was present in the audience asked why these loop zoning up on underwater properties if they are worthless. The Director replied that the underwater properties are actually not worthless; however, he indicated his conviction that zoning does not affect the value of such properties.

Mr. Poinsbery asked the Director if he would be willing to recommend to BOPC that permits be granted for construction or building on the subject properties if they were to be constructed for residential use. The Director replied that he would be prepared to recommend a positive action of a "hearing indicated" on the Park Application. However, he could not be willing to recommend construction of housing on properties which the City proposes to have resulting underwater.

Mr. Insbery then asked if any proper zoning exists which could be used for underwater land. The Director replied that no land zoning classification exists; and, since zoning itself does not have any effect on properties which are located under water, he did not see the need for proposing such a classification.

After further discussion the question was called and the resolution carried unanimously - by adopting Resolution No. 6572 and to approve the subject application.

CASE NO. 6573 - 1-1-1 Space Adjacent West Line, 1st Less Ave. of Bissell Street.
Request for conditional parking lot in a C-2-D District.

D. Spencer Stern, Architectural Drafting - Implementation (Jerry Ambulator), referred to hand use and zoning map to describe the subject property. He stated that the applicant had proposed to use the subject property for an accessible parking lot on an interim basis. The property would accommodate approximately 40 automobile-carried automobiles.

Stephen Lemonchelli, attorney for the applicant, contended that the proposed parking lot would be an asset to the area. He stated that a four-foot fence with reduced slats would enclose the site, and six trees in 15-gallon containers would be placed along the front of the property. Lamp posts would be installed; and the identifying sign would be lighted by 6 feet would be located

on the property line. He estimated that the property would be used as a parking lot for approximately six or seven months.

Athanatius L. Maunupau, Executive Vice President of the Postal Clerk's Union, stated that it was his understanding that the lessees of the subject property also operate a parking lot on Howard and Spear Streets; and he indicated that the prices at that lot had more than doubled in the past year. He indicated that the members of his Union have difficulty finding parking spaces; and, if the rates charged at the proposed facility were not to be subject to controls, working people would suffer. He felt that the City of San Francisco should have some authority to control the rates charged by parking lots; and, in taking action on the subject application, he hoped that the Commission would consider the needs of the citizens of San Francisco.

President Kearney advised Mr. Maunupau that the Commission does not have any power to control the rates charged at privately-owned parking lots.

Mr. Maunupau then asked if there is another agency of the city which does have the authority to control the rates charged at privately-owned parking facilities. President Kearney replied in the negative, indicating that the jurisdiction of the Parking Authority extends only to publicly-owned parking lots.

Mr. Steele felt that the interim parking lot use would upgrade the appearance of the subject property; and, therefore, he recommended approval of the application subject to six specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Finn, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6553 and that the application be approved subject to the conditions contained in the draft resolution.

CU70.50 100-138 Howard Street, northwest corner of Spear Street.
Request for a parking garage for approximately 140 cars in the basement and on the second floor of a proposed 13-story office building on property zoned C-3-O and C-3-S.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the property is presently occupied by three buildings which are all slated for demolition. The applicant proposed to construct an office building having more floor area devoted to off-street parking than the 7% permitted as accessory parking in a C-3 zoning district. As provided in the City Planning Code, parking garages which exceed the accessory area can be authorized only as Conditional Uses. In the subject case, the proposed 140 independently accessible off-street parking spaces would occupy 9.5% of the total office building floor area of 249,784 square feet. The mazimum permitted 7% of the floor area allowed for accessory parking would provide space under the proposed parking layout for approximately 102 automobiles, 38 automobiles less than the applicant had proposed.

[illegible]

Off-street loading would occupy a portion of the ground-floor garage area of the proposed building; and the basement and portions of the first two floors of the proposed 13-floor building would be used for garage purposes. Except for the driveways to the garage and loading areas at the south and north corners of the building, the street frontage of the ground-floor would be occupied by retail-commercial space.

President Kearney asked if anyone was present in the audience to speak in opposition to the subject application. No one responded.

Mr. Steele recommended that the application be approved since the proposed garage would not have any significant effect on traffic or pedestrian circulation in the subject neighborhood. Also, he indicated that the subject site is within an area determined in the downtown zoning study to be an appropriate area for additional parking facilities. He distributed a draft resolution of approval which he had prepared with six specific conditions; and, after summarizing and commenting upon the conditions, he recommended adoption of the draft resolution.

Commissioner Finn asked if the applicant had any objection to the conditions which were contained in the draft resolution. William Wilson, representing the applicant, replied in the negative.

After further discussion it was moved by Commissioner Newman, seconded by Commissioner Finn, and carried unanimously that the draft resolution be approved as City Planning Commission Resolution No. 6554 and that the application be approved subject to the conditions contained in the draft resolution.

The meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

Off-street loading would occupy a portion of the ground-floor porte area of the proposed building; the basement and portions of the first two floors of the proposed 12-floor building would be used for garage purposes. Except for the driveways to the garage and loading areas on the south and north corners of the building, the street frontage of the ground-floor would be occupied by retail-commercial space.

President Lackey asked if anyone was present in the audience to speak in opposition to the subject application. No one responded.

Mr. Steele recommended that the application be approved since the proposed garage would have any significant effect on traffic or pedestrian circulation in the subject neighborhood. Also, he indicated that the subject site is within an area determined in the Downtown Study to be appropriate area for additional parking facilities. He distributed a draft resolution of approval which he had prepared with six specific conditions; and, after reading and commenting upon the conditions, he recommended adoption of the draft resolution.

Commissioner Flynn asked if the applicant had any objection to the conditions which were contained in the draft resolution. Mr. Wilson, representing the applicant, replied in the negative.

After further discussion it was moved by Commissioner Flynn, seconded by Commissioner Kahn, and carried unanimously that the application be approved as City Planning Commission Resolution No. 6598 and that the application as approved subject to the conditions contained in the draft resolution.

The meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, June 25, 1970.

The City Planning Commission met pursuant to notice on Thursday, June 25, 1970, at 1:00 p.m. at 100 Larkin Street.

PRESENT: James S. Kearney, President; James J. Finn, Mortimer Fleishhacker, Mrs. Charles B. Porter and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President, and Thomas J. Mellon, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Dean L. Macris, Assistant Director - Plans and Programs; Richard Hedman, Planner V, Urban Design; Robert Passmore, Assistant Zoning Administrator; William Proctor, Planner IV; Joseph Fitzpatrick, Planner III; Elizabeth Seltzer, Planner II, Urban Design; Kathleen Knight, Planner I; and Lynn E. Pio, Secretary.

Dick Alexander represented the San Francisco Examiner.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the zoning hearing on July 2, 1970.

2:15 P.M. - 100 Larkin Street

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of May 28, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that a $473,906 Urban Beautification Reimbursement Grant had been received from the Federal Government for work done during the 1968-69 fiscal year.

The Director advised the Commission that the staff of the Department of City Planning had attended a luncheon meeting at SPUR, on Wednesday, to present the Improvement Plan for Residence. He remarked that 1500 copies of the Improvement Plan had been printed with funds from the budget of the Department of City Planning;

SAN FRANCISCO
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PRESENT: James S. Kearney, President; James J. Finn, Vice-President Elizabeth Bacon, Mrs. Charles B. Porter and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President, and Thomas J. Mellon, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Dean L. Lewis, Assistant Director - Plans and Programs; Richard Hedman, Planner V, Urban Design; Robert Passmore, Assistant Zoning Administrator; William Proctor, Planner IV; Joseph Fitzpatrick, Planner III; Elizabeth Salzer, Planner II, Ralph Lewis; Kathleen Knight, Planner I; and Lynn E. Pio, Secretary.

Dick Mosbacher represented the San Francisco Examiner.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the zoning hearing on July 2, 1970.

2:15 P.M. - 100 Larkin Street

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of May 28, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that a $427,906 Urban Beautification Reimbursement Grant had been received from the Federal Government for work done during the 1968-69 fiscal year.

The Director advised the Commission that the staff of the Department of City Planning had attended a luncheon meeting of SPUR, on Wednesday, to present the Commission's Plan for Residence. He reported that 1500 copies of the Improvement Plan had been printed with funds from the budget of the Department of City Planning.

and 1200 copies of the report had already been distributed. Since widespread constructive review of the Improvement Plan for Residence by citizens and organizations would be essential, he felt that funds should be made available to the Department of City Planning to print additional copies of the report for public distribution. He distributed copies of a draft resolution which he had prepared to request a supplemental appropriation in the amount of $2,000 for the next fiscal year for the purpose of printing additional copies of the Improvement Plan for Residence and recommended that the draft resolution be adopted. During the course of his explanation, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table. After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6555.

The Director reported that the Board of Supervisors, at its meeting next Monday, will consider the return of the proposed ordinance establishing height limits south of the Ferry Building to the City Planning Commission for further review. The Director also indicated that he had received some information from the Port Commission regarding the present status of plans for the U. S. Steel project south of the Ferry Building; however, he had not had an opportunity to review the materials.

Commissioner Fleishhacker stated that he had received a letter from the Port Commission regarding the development proposed for the area south of the Ferry Building; and, while he gathered that the Port Commission was pursuing the proposal with a sense of urgency, he felt that he would need additional information before he could reply to the letter which he had received. Since the Port Commission had emphasized the economic need to proceed with the proposed project, he felt that it would be imperative for the members of the City Planning Commission to have an opportunity to see the Port Commission's Master Plan for development of all of the property presently under its control before they would be able to make an intelligent judgment regarding the necessity for the U. S. Steel project. Commissioner Ritchie agreed with Commissioner Fleishhacker.

The Director stated that it was his understanding that the type of economic information which Commissioner Fleishhacker desired had not been developed by the Port Commission.

Commissioner Porter estimated that it would cost at least $200,000 to obtain the type of information being requested by Commissioner Fleishhacker; and, looking at the matter realistically, she felt that it was obvious that such a study would not be undertaken. She believed that the Port Commission would continue to undertake development of its property on a piecemeal basis; and she saw no point in the City Planning Commission's making an issue of something which could not be accomplished.

Commissioner Fleishhacker remarked that the Port Commission had previously solicited the advice of a group of financial advisors; and, when he had been President of the City Planning Commission, he had asked that group to meet with the Director of Planning. The Director stated that he had met with the group of

and 150 copies of the report had already been distributed. Since widespread consideration of the improvement plan for Seattle by citizens and organizations would be essential, he felt that funds should be made available to the Department of City Planning to print additional copies of the report for public distribution. He distributed copies of a draft resolution which he had prepared to request a supplemental appropriation in the amount of $2,000 for the next fiscal year for the purpose of printing additional copies of the Improvement Plan for Seattle and recommended that the draft resolution be adopted. During the course of his explanation, Commissioner Finn arrived to the meeting room and assumed his seat as the Commission table. After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 5555.

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Commissioner Fleishhacker stated that he had received a letter from the Port Commission regarding the development proposed for the area south of the Ferry Building, and, while he realized that the Port Commission was pursuing the proposal with a sense of urgency, he felt that he would need additional information before he could reply to the letter which he had received. Since the Port Commission had emphasized the economic need to proceed with the proposed project, he felt that it would be preferable for the members of the City Planning Commission to have an opportunity to see the Port Commission's Master Plan for development of all of the property presently under its control before they would be able to make an intelligent judgment regarding the necessity for the U. S. Steel project. Commissioner Ritchie agreed with Commissioner Fleishhacker.

The Director stated that it was his understanding that the type of economic information which Commissioner Fleishhacker desired had not been developed by the Port Commission.

Commissioner Porter estimated that it would cost at least $200,000 to obtain the type of information being requested by Commissioner Fleishhacker; and, looking at the matter realistically, she felt that it was obvious that such a study would not be undertaken. She believed that the Port Commission would continue to subdivide the development of the property on a piecemeal basis; and she saw no point in the City Planning Commission's making an issue of something which could not be accomplished.

Commissioner Fleishhacker remarked that the Port Commission had previously solicited the advice of a group of prominent advisors; and, when he had been President of the City Planning Commission, he had asked that group to meet with the Director of Planning. The Director stated that he had met with the group of

financial advisors but had not had any contact with them since. He did not know if the group is still functioning.

Commissioner Ritchie remarked that the Port of Stockton has developed a Master Plan for its future growth; and he wondered why the Port of San Francisco had not done likewise.

Commissioner Porter asked about the status of SPUR's proposal for the transfer of air rights for the remainder of Port-owned properties to the Recreation and Park Commission contingent upon approval of the U. S. Steel project. The Director replied that he felt that the "trade" proposed by SPUR need not and should not be made; and he believed that the City Planning Commission should not zone the area south of the Ferry Building one way or another on the basis of such a trade. He noted that the record of the City with regard to special height districts was quite excellent in that the City has never allowed exceptions from the height limits which it has adopted; and, under the circumstances, he felt that the effect of SPUR's proposal would be to trade away something of value in the area south of the Ferry Building for a promise of security which the City already has. He also remarked that while SPUR has acted as a "watchdog" to assure citizen participation in the decisions of the City Planning Commission, it was obvious that SPUR had not invited citizen participation in its decision to recommend the trade of air rights to the City.

Commissioner Porter stated that her decision on the U. S. Steel proposal would be based on whether it would be an asset or a liability for the City.

After further discussion, the Commission requested that a letter be addressed to the Port Commission requesting that all information available regarding comprehensive City-wide Port plans be made available if the Board of Supervisors should refer the proposed ordinance establishing height limits south of the Ferry Building back to the City Planning Commission next Monday. The Commission expressed primary interest in obtaining fiscal projections and plans for the Port.

Commissioner Porter requested that the record show that members of the City Planning Commission and other public agencies had received copies of a petition for a writ of mandate filed by Vic E. Breeden and Charline H. Breeden to set aside the decision of the Board of Permit Appeals denying building permit applications for 2551 Union Street.

CONSIDERATION OF PROPOSED PRELIMINARY PLAN FOR REGAL PALE REDEVELOPMENT PROJECT AREA

Dean L. Macris, Assistant Director - Plans and Programs, distributed and summarized copies of the proposed preliminary plan for the Regal Pale Redevelopment Project Area. The plan, which consisted of a text and two maps, described the boundaries of the project area and contained a general statement on land use, layout of principal streets, population densities and building intensities, design criteria, and other standards to be used as a basis for the redevelopment of the project area. The proposed plan is available in the files of the Department of City Planning.

financial advisors had had an opportunity to discuss the matter with them. It did not know if the group in which it functioned.

Commissioner Kennedy reported that the part of the Stockton Bus developed a better plan for the Bunker Hill area and he considered that the part of San Francisco had not done likewise.

Commissioner Porter asked about the status of BRHA's proposal for the combined use of air rights for the municipal or institutional purposes which Commissioner Kennedy had approved at the H. L. Mitchell project. The Director replied that he felt that the "Brand" proposed by BRHA was not and should not be made; and he believed that the City planning Commission should not make the area subject of the City Planning one way or another on the basis of such a study. He noted that the people of the City with regard to social behavior patterns was quite evident in that the City has been allowed segregation from the Negro living which it has enjoyed; and, under the circumstances, he felt that the effect of such a proposal would be to tide away something of value in the development of the City and in a struggle of community which the City already has. Mr. Porter reported that this was done as a "standoff" to assure citizen participation in the decisions of the City Planning Commission. It was obvious that BRHA had not involved citizen participation in its decision to recommend the grade of air rights to the City.

Commissioner Porter stated that her decision then to vote for the proposal would depend on whether it would be an asset or a liability to the City.

After further discussion, the Commission requested that a letter be addressed to the City Commission indicating that all information available concerning Bunker Hill Bus Lines be made available to the Commission so that the proposed ordinance establishing height limits north of the City building back to the City Planning Commission with "Comments". The Commission requested further information on the Civic Center projections and plans for the fort.

Commissioner Porter reported that the records show that members of the City Planning Commission and other public officials received copies of a portfolio for a week of speeches given by Mr. Brown and Charles B. Brown to see and be the Question of the Board of Trade appeals hearing building permit applications for 1707 Bush Street.

CONSIDERATION OF PROPOSED PRELIMINARY PLAN FOR MOTEL PLAN RESERVOIR-CLIFF AREA

Dean T. Morris, Assistant Director - Plans and Programs, distributed and explained copies of the proposed preliminary plan for the Mount Davis Redevelopment Project Area. The plan, which consisted of a text and two maps, described the boundaries of the project area and contained a general statement on land use, improvements, proposed dwelling units and building intensities, design objectives, and other guidance to be used as a basis for the development of the project area. The proposed plan is available in the Office of the Department of City Planning.

Allan B. Jacobs, Director of Planning, stated that the proposed development would be in keeping with the expressed policy of converting non-productive lands in the Inner Mission District to residential uses and with the policy of providing additional family housing with minimal displacement. He stated that the proposed redevelopment plan would conform to the objectives and policies of the Master Plan of the City and County of San Francisco. Therefore, he recommended the adoption of a draft resolution which he had prepared for approval of the preliminary plan.

Commissioner Porter remarked that almost all of the redevelopment projects in San Francisco had required the closing of certain public streets; and she indicated that it was her feeling that the residents of the project areas might have been happier and traffic circulation might have been better if those streets had not been closed.

The Director stated that he was in general agreement with Commissioner Porter's point of view. In the present instance, however, he noted that it would be necessary to protect the proposed residential uses from industrial traffic and the industrial uses from residential traffic; and he felt that the proposed closing of Treat Avenue within the project area would accomplish those objectives.

Commissioner Porter asked if Treat Avenue is a major thoroughfare. Mr. Macris replied that the staff of the Department of City Planning had taken a traffic count in the area and had found that only 441 vehicles had used Treat Avenue in a 24-hour period as contrasted with 8,700 vehicles on Folsom Street, 5,200 vehicles on Harrison Street, 1,900 vehicles on South Van Ness Avenue, and 20,000 vehicles on Potrero Avenue during the same amount of time. Given the small volume of traffic using Treat Avenue, he did not feel that its diversion to other streets in the area would have a significant effect. He also remarked that the closing of Treat Avenue would maximize the amount of land available for housing within the redevelopment project area.

Commissioner Ritchie stated that Treat Avenue is presently used primarily by industrial traffic, the bulk of which turns onto 20th Street, which is developed residentially. Under the circumstances, he felt that the closing of the subject portion of Treat Avenue would vastly improve a situation which should never have developed.

William Proctor, Planner IV, stated that the traffic survey which had been made by the Department of City Planning had indicated that only one-third of the traffic carried on Treat Avenue continues to use the street south of its intersection with 20th Street.

Commissioner Fleishhacker asked if he were correct in understanding that the proposed plan would establish a maximum height of 40 feet with an exemption from the 40-foot height limit for the possible construction of a building having a height of up to 120 feet and maximum horizontal dimensions of 90 feet. Mr. Macris replied in the affirmative and indicated that the staff of the Department of City Planning had felt it important to provide some flexibility in the plan in order

William H. Jarman, Director of Planning, stated that the proposed development would be in keeping with the expressed policy of encouraging non-residential uses in the Inner Harbor District to residential uses and with the policy of providing adequate family housing with minimum displacement. He stated that the proposed redevelopment plan would meet in the objectives and policies of the Master Plan of the City and County of San Francisco. Therefore, he recommended the adoption of a draft resolution which he had prepared for approval of the proposed redevelopment plan.

Commissioner Porter remarked that almost all of the redevelopment projects in San Francisco had required the clearing of certain residential areas and she indicated that it was her feeling that the residents of the redevelopment areas which have been heavily and traffic congestion which have been better if those streets had not been closed.

The Director stated that he was in general agreement with Commissioner Porter's point of view. In the present instance, however, he noted that it would be necessary to protect the proposed residential area from industrial traffic and the industrial uses from residential traffic, and he felt that the proposed closing of Third Avenue within the project area would accomplish that objective.

Commissioner Porter asked if there would be a traffic circulation. Mr. Jarman replied that the staff of the Department of City Planning had taken a traffic count in the area and had found that only [illegible] had used Third Avenue in a 24-hour period as contrasted with 31,000 vehicles on Folsom Street, 9,200 vehicles on Harrison Street, 4,900 vehicles on South Van Ness Avenue, and 20,000 vehicles on Mission Street during the same period of time. Given the small volume of traffic using Third Avenue, he did not feel that its elimination would create in the area would have a significant effect. He also remarked that the closing of Third Avenue would maximize the amount of land available for housing within the redevelopment project area.

Commissioner Kubota stated that Third Avenue is presently used primarily by industrial traffic, the bulk of which turns onto 20th Street, which is developed residentially. Under the circumstances, he felt that the closing of the subject portion of Third Avenue would really improve a situation which should never have developed.

William Proctor, Planner IV, stated that the traffic survey which had been made by the Department of City Planning had indicated that only one-third of the traffic reported on Third Avenue continues to use the street south of its intersection with 20th Street.

Commissioner Kubota asked if he was correct in understanding that the proposed plan would establish a maximum height of 40 feet with an exception from the 40-foot height limit for the possible construction of a building having a height of up to 70 feet and containing commercial floor space. Mr. Jarman replied in the affirmative and indicated that the Department of City Planning had felt it desirable to provide some flexibility in the plan in order

to obtain the type of housing which would be desirable by the community and in order to provide for certain economic circumstances which might develop.

Commissioner Fleishhacker then inquired about the proximity of commercial facilities to the subject site. Mr. Macris replied that a small store and a restaurant are located on the site; and he indicated that the proposed redevelopment plan would provide for inclusion of small commercial spaces within the project area if such uses would be deemed desirable by the community. He also remarked that a number of stores are scattered around the neighborhood and that there is a heavy concentration of commercial uses along Mission Street.

Commissioner Ritchie asked if it would be possible to retain any of the buildings presently existing on the site. The Director replied that such a decision would have to be made by the Redevelopment Agency. He noted, however, that the Bricklayers Union had expressed interest in becoming the developer for the site.

Jack Born, Chairman of the Planning Committee of the Mission Coalition Organization, stated that his committee had been working with both the Department of City Planning and the Redevelopment Agency for several months as the proposed preliminary redevelopment plan was being prepared; and he indicated that his committee did support the plan which was being recommended by the Director of Planning. He stated that the proposed project would help to fulfill the City's dire need for additional housing; and he believed that the buffers which were being proposed would effectively protect the proposed residential uses from adjacent industrial development. Mr. Born also stated that his committee agreed with the Director's recommendation to allow development of a building with a height of 120 feet on a portion of the lot since such a building might provide desirable housing for the elderly or help to meet the overall cost of the proposed project.

Commissioner Ritchie asked if any of the industrial uses located north of the subject site might be offensive to the proposed residential development. Mr. Born replied that the industry located directly north of the site had recently been rehabilitated and is not offensive. He did not feel that other uses in the area would conflict with the proposed residential development.

Mr. Macris stated that he felt that any possible conflicts of that nature could be avoided through proper design of the proposed project. The Director stated that the Department of City Planning will increasingly be facing the problem of whether residential and industrial uses can be compatible; and, in the present instance, he believed that there would be no problem. If he had felt otherwise, he would not have recommended the proposed preliminary redevelopment plan to the Commission.

Commissioner Porter felt that the proposed combination of industrial and residential uses might create an interesting atmosphere for the people who would be living in the proposed project.

to obtain the type of housing which would be desirable in the community and also to provide the certain economic circumstances which exist.

Commissioner Fleischmann then inquired about the proximity of commercial facilities to the building site. Mr. Morris replied that a small store and a restaurant are located on the site; and he indicated that the proposed redevelopment would provide for inclusion of small commercial space within the project area. It was felt that such would be desired facilities by the community. He then responded that a number of stores are scattered around the neighborhood and that there is a busy commercial area along Market Street.

Commissioner Murphy asked if it would be possible to remove one or two buildings presently existing on the site. Mr. Morris replied that such a decision would have to be made by the Redevelopment Agency. He noted, however, that the neighborhood which has expressed interest in seeking the development for the site.

Jack Ford, Executive of the Planning Commission of the Municipal Utilities Department, stated that his committee had been working with both the Department of City Planning and the Redevelopment Agency in the preparation of the proposed redevelopment plan and being informed, and he emphasized that his committee fully supports the plan which was being recommended by the Department of Planning. He stated that the proposed project would help to fulfill the City's housing and educational programs and he believed that the factors which were being considered would adequately provide the proposed redevelopment area from adjacent blighted development. He then also stated that the committee agreed with the Planning Commission in allow development of a building with a height of 120 feet on a rectangular site like such a building might provide housing for the elderly or less by most the overall cost of the proposed project.

Commissioner Francis asked if the industrial area immediately adjacent to the subject site is attractive to the commercial residential development. Mr. Morris replied that the industry located directly north of the site and probably would be benefitted by its not adjacent. He did not feel that other uses in the area would conflict with the proposed residential development.

Mr. Morris stated that he felt that any possible conflicts of land uses would be avoided through proper design of the proposed project. The Director stated that the Department of City Planning will increasingly be faced with problems of whether residential and industrial uses may be compatible; and in the present case, he believed that there would be no problem. He then introduced Mr. Ford who was responsible for the proposed housing plan in the Redevelopment.

Commissioner Porter felt that the Planning Commission in considering an industrial use should consider an increasing attractiveness for the larger one-story industries in the proposed project.

Mr. Born remarked that officials in Washington had taken the position that it is desirable to intermingle light industrial uses and residential uses. In any case, the industries located in the vicinity of the subject property have existed for a number of years; and, since he believed that they would be compatible with the proposed residential development, he indicated that the Mission Coalition Organization had no intention of seeking to displace them.

No one was present to speak in opposition to the proposed preliminary redevelopment plan.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6556 and that the proposed preliminary plan for the Regal Pale Redevelopment Project Area be approved.

R70.45 Proposed public housing project for the elderly, 108 dwelling units, Bush Street, north line, east of Octavia Street (Turnkey Procedure).

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

> "Pursuant to Sections 116.1 and 118 of the Charter, the subject referral has been received from the Housing Authority and Smith & Haley Construction, Inc., proposing the construction of 108 apartment units for elderly persons on the north side of Bush Street east of Octavia Street. The proposed project would be a seven floor building consisting of 71 efficiency units, 36 one-bedroom units and one two-bedroom unit.
>
> "The subject site, which is presently vacant and zoned R-5, is a rectangular shaped double frontage lot having frontages of 175 feet on Bush and Austin Streets, a uniform depth of 120 feet, and a total lot area of 21,000 square feet. The proposed building, which would run to full width of the lot, would be set back from Bush Street 38.67 feet and from Austin Street 20 feet. The site slopes up to Austin Street so that at that street the building would be six floors high. A little over half of the width of the Bush Street setback area would be developed as the entrance walkway and a common patio related to the community room, which along with the manager's apartment and offices occupies the lowest floor of the building. The remainder of the Bush Street setback area would be covered with off-street parking, a portion of which extends under the apartment building. The roof of this parking area would be developed as usable open space. The Austin Street setback area would be occupied by private patios and 6 off-street parking spaces.

Mr. Long remarked that officials in Washington had taken the position that it is desirable to integrate light industrial uses and residential uses. In his view, the industries located in the vicinity of the subject property have enabled for a number of years, and, since he believed that they would be compatible with the proposed residential development, he indicated that the Mission Conditions Organization had no intention of seeking to displace them.

No one was present to speak in opposition to the proposed preliminary development plan.

After further discussion it was moved by Commissioner Lorin, seconded by Commissioner Elkins, and carried unanimously that the draft resolution to adopt as City Planning Commission Resolution No. [illegible] and that the proposed preliminary plan for the Sand Dale Redevelopment Project Area be approved.

[illegible] Proposed public housing project for the elderly, 100 dwelling units, Jack Stone, north side of Octavia Street (Hayden Dorsey Project).

Lobert Lawrence, assistant housing administrator, reported on this matter as follows:

"Pursuant to Sections 1111 and 1113 of the Charter, the subject referral has been received from the Housing Authority and Sally & Dixby Construction, Inc., proposing the construction of 100 dwelling units for elderly persons on the north side of Jack Stone Street at Octavia Street. The proposed project would be a seven story building consisting of 71 efficiency units, 30 one-bedroom units and one two-bedroom unit.

The subject site, which is zoned RC-4, is a rectangular shaped double lot, [illegible] feet having frontages of 275 feet on Jack and Austin Streets, a maximum depth of 412 feet, and a total lot area of 113,000 square feet. The proposed building, which would run the full width of the lot, would be set back from Jack Street 20.0 feet and from Austin Street 20 feet. The site slopes up to Austin Street so that at that street the building would be [illegible] stories. A little over half of the width of the lot [illegible] street [illegible] would be developed as the main entrance and a covered [illegible] reserved for the community room, which along with the management [illegible] and office occupies the lower floor of the building. The remainder of the Jack Street subject area would be reserved also [illegible] recreation areas, a portion of which would be used for the community [illegible]. The rest of this parking area would be developed as a [illegible] [illegible]. The Austin Street subject area would be reserved for private [illegible] and 5 off-street parking spaces.

"A total of 20 off-street parking spaces is proposed in conformity with a parking variance granted by the Zoning Administrator should the City authorize a 108 unit public housing project for the elderly on this site.

"The subject site is adjacent to the east of a six-floor-plus-basement, 34 unit apartment house and opposite Bush Street from a three-floor, 54 unit apartment house. Other residential development in this R-5 zoned area consists of dwellings of relatively low density and height. The Morning Star School, Green's Eye Hospital, Red Cross Headquarters, Buddhist Church, Trinity Episcopal Church are major institutional uses in the immediate vicinity. Lafayette Park is approximately three blocks north of the subject site. Convenience shopping is in several non-conforming nearby stores and in stores in the C-2 district approximately 2 blocks east and south. Public transportation is on Sutter Street, one block south. A building permit for a six-floor 113 unit elderly housing project on Pine Street, one block north, was approved by the City in April 1970.

"Under R-5 zoning, the subject site could be developed with a dwelling having a maximum of 224 dwelling units, a floor area ratio of ten to one, and covering 75% of the lot. Thus, the proposed dwelling would have approximately one-half the maximum permitted density, one-third the maximum permitted floor area, and would cover only 50% of the lot."

Commissioner Porter remarked that the wide setback in front of the proposed building would result in only a minimal rear-yard area; and, as a result, people living in the apartments at the back of the building would have very small patios and balcony areas. Mr. Passmore stated that the purpose of the 38-foot setback in front was to provide a large open area which would be sunlit whereas the open space in back of the building would be cast in shadow.

Commissioner Porter then asked if the buildings located on Austin Street in the subject block would be overshadowed by the proposed building and if the situation would be improved if the building were to be moved forward on the lot. Mr. Passmore replied that the buildings fronting on Austin Street in the vicinity of subject site consist of a Buddhist Church and a Sunday School; and, as a result, he did not feel that the shadows cast by the proposed building would have a detrimental effect on those uses. In any case, if the subject property were developed to the maximum density which would be allowed in the R-5 district, the shadow problem would be much more severe.

Commissioner Ritchie felt that the points which had been raised by Commissioner Porter were well taken. In his mind, the small patios and balconies being proposed for the apartments in the back of the building would hardly be large enough to hold trash cans.

A total of 20 different parking areas is provided in conformity with a parking ordinance enacted by the Zoning Administrator should the City authorize a 100 unit public housing project for the elderly on this site.

The subject site is adjacent to the east of a six-floor-plus-basement, 56 unit apartment house and opposite Bush Street from a three-floor, 34 unit apartment house. Other residential development in this R-5 zoned area consists of dwellings of relatively low density and height. The Jewish Home Council, Green's Eye Hospital, and Gross headquarters, Buddhist Church, Trinity Episcopal Church, the major institutions, are in the immediate vicinity. Lafayette Park is approximately three blocks north of the subject site.

A [illegible] structure is in several [illegible] parking assembly [illegible] and in stores in the C-1 district approximately 2 blocks east and south. Public transportation is on Sutter Street, one block south. A building permit for a six-floor 101 unit elderly housing project on Lyon Street, one block north, was approved by the City in April 1960.

"Under R-5 zoning, the subject site could be developed with a dwelling having a maximum of 22 dwelling units. A floor area ratio of ten to one, and covering 75% of the lot. Thus, the proposed dwelling would have approximately one-half the maximum permitted density, and-third the maximum permitted floor area, and would cover only [illegible] of the lot."

Commissioner Porter remarked that the site seemed a great deal of the proposed building would result in only a minimal rear-yard area; and, as a result, people living in the apartments at the back of the building would have very small yards and balcony areas. Mr. Kimmerle stated that the purpose of the 30-foot setback in front was to provide a large open area which would be visible above the open space in back of the building which is used in common.

Commissioner Porter then noted if the buildings located on Austin Street in the subject block were to be constructed by the proposed building and if the situation would be improved if the building were to be moved forward on the lot. Mr. Kimmerle replied that the buildings fronting on Austin Street in the vicinity of the subject are composed of a building built and a [illegible] building. He stated, he did not feel that the shadow cast by the proposed building would have a minimal effect on those uses. In any case, if the subject property were developed to the maximum density, it would be allowed to be the two dwellings. The other problem would be which one to be.

Commissioner Porter felt that the shadow which would be cast by Gross's stores facing well Street. In his mind, the small yards and balconies proposed for the apartments in the back of the building would hardly be large enough to hold anyone.

Mr. Saidis, architect for the proposed project, emphasized that the primary purpose of the design was to provide a large sunny open space in the front of the building which could be used by all of the tenants. Even so, since the balconies would contain more than 60 square feet each, they would be larger than they would be required to be. While the building could have been designed without balconies, he felt that the balconies would provide a more attractive design than would be the case if they were to be omitted.

Commissioner Fleishhacker remarked that it might be more desirable to omit the balconies and to increase the indoor living space in the apartments since people do not use balconies to any great extent.

Mr. Heyneman,representing the Housing Authority stated that the results of a study which had been made had indicated that most of the residents of public housing projects do not like balconies. Therefore, the position of the Housing Authority was to advise contractors to use their own discretion as to whether balconies should be included for design purposes.

The Director remarked that the best solution might be to have large balconies on some apartments and no balconies on others. Mr. Ruiz, representing the applicants, stated that the Federal Government has established limitations for the amount of area to be devoted to individual apartments in public housing projects for the elderly; and he indicated that all of the units in the proposed building would be of the maximum size allowed by the Department of Housing and Urban Development. Under the circumstances, it would not be possible to increase the size of some of the units even if balconies were to be removed from other units in the building.

The Director recommended that the proposed development be approved as in conformity with the Master Plan.

Commissioner Fleishhacker, noting that only 20 off-street parking spaces would be constructed to serve the 108 dwelling units to be contained in the proposed building, asked what would happen if the building were to be used for non-elderly people in the future. President Kearney replied that the number of elderly people in San Francisco is increasing; and, under the circumstances, he did not feel that the problem mentioned by Commissioner Fleishhacker would arise.

Commissioner Ritchie asked if trees would be planted along both street frontages of the subject site. Mr. Saidis replied in the affirmative, indicating that five trees and other types of plants were being installed along the 175-foot frontage of the site on Austin Street and that street trees would be planted on Bush Street.

Mr. Kelly, speaking for the general market, emphasized that the primary purpose of the design was to provide a large room open space in the front of the building which could be used by clients for showing. Here, he added, the house would contain more than it would ordinarily, but would be larger than the would be required to be. While the building would have more enclosed rooms, he felt that the balconies would provide a more pleasant setting than would be the case if they were to be omitted.

Commissioner Fitzsimmons remarked that it might be some disturbing to sell the balconies and to remove the interior living space in the apartments which people do not use but have to pay great rents.

Mr. Kelly, representing the Housing Authority stated that the results of a study which had been made had indicated that the tendency of public housing residents is not the balconies. Therefore, the position of the Housing Authority was to advise manufacturers to use their own discretion as to whether balconies should be included for design purposes.

The Director remarked that the best situation might be to have large balconies in some apartments and no balconies in others. Mr. Kelly, representing the manufacturer, stated that the Federal Government has established requirements for the amount of this to be devoted to individual apartments in public housing projects and he indicated that although the manufacturer would be willing to adhere to the requirements of Housing and Home Finance Agency, this would not be necessary. It would not be possible to increase the size of the units with the balconies were to be removed from other units in the building.

The Director recommended that the proposed development be approved as in accordance with the Design Plan.

Commissioner Fitzsimmons, noting that only 20 of the 1400 apartments would be designed to serve the 100 housing units, by 1 contained in the proposed development, asked what would happen if the building were to be used for housing elderly people in the future. Mr. Kelly replied that the building could be used for elderly people in the future, if the Housing Authority decided that the number of elderly people in the community justified such a change. He did not feel that the problem mentioned by Commissioner Fitzsimmons would arise.

Commissioner Kelly asked if there would be planted along the street. Mr. Kelly said that there would be. Mr. Kelly replied in the affirmative. Individual trees and other types of plants were being interested along the [illegible] driveways of the site on Harris Street and there would be no [illegible] on Harris Street.

Commissioner Ritchie felt that it would be desirable to have a few more trees planted on Austin Street. The Director replied that the details of the landscaping plan could be worked out between the Department of City Planning and the Housing Authority.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the development of the subject site for 108 dwelling units for low-income elderly persons is in conformity with the Master Plan.

PRESENTATION OF URBAN DESIGN STREET LIVABILITY REPORT

Elizabeth Seltzer, Planner II, Urban Design, presented and summarized the Street Livability Study, a report which had been prepared as part of the Department of City Planning's Urban Design Study. The Report is available in the files of the Department of City Planning.

The Meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

Commissioner Gilroy felt that it would be desirable to have a few more areas planted on Austin Avenue. The Director replied that the details of the landscaping plan could be worked out between the Department of City Planning and the Parking Authority.

After further discussion it was moved by Commissioner Fitzhenry, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the development of the subject site for 108 parking units for industrial activity purposes is in conformity with the Master Plan.

PRESENTATION OF URBAN DESIGN STREET LIVABILITY REPORT

Elizabeth Stinson, Planner II, Urban Design, presented and summarized the Street Livability Study, a report which had been prepared as part of the Department of City Planning's Urban Design Study. The Report is available in the Office of the Department of City Planning.

The Meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary